

H. B. 2107

(By Delegates Overington, Foster, Householder,
Moffatt and Butler)

[Introduced January 20, 2015; referred to the
Committee on Education then the Judiciary.]

**FISCAL
NOTE**

A BILL to amend and reenact §18-2-9 of the Code of West Virginia, 1931, as amended, relating to required courses of school instruction generally; requiring the accumulation of one and one-half years of instruction in the study of the Declaration of Independence and other founding American historical documents including the Bill of Rights before high school graduation; and requiring study of the historical, political and social environments at the time these documents were generated; prohibiting study of social problems, economics, foreign affairs, the United Nations, world government, socialism or communism until basic courses in American state and local geography and history are completed; and misdemeanor penalty.

Be it enacted by the Legislature of West Virginia:

That §18-2-9 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 2. STATE BOARD OF EDUCATION.

§18-2-9. Required courses of instruction; violation and penalty.

(a) In all public, private, parochial and denominational schools located within this state, there

1 shall be given prior to the completion of the eighth grade at least one year of instruction in the history
2 of the State of West Virginia. The schools shall require ~~regular~~ for graduation courses of instruction,
3 accumulating to a minimum of one and one-half years of instruction, by the completion of the twelfth
4 grade in the history of the United States, in civics, in the study of the United States' founding
5 documents, specifically, the Declaration of Independence, in the Constitution of the United States,
6 with emphasis on the Bill of Rights and in the government of the State of West Virginia for the
7 purpose of teaching, fostering and perpetuating the ideals, principles and spirit of political and
8 economic democracy in America and increasing the knowledge of the organization and machinery
9 of the government of the United States and of the State of West Virginia. The state board shall, with
10 the advice of the state superintendent, prescribe the courses of study covering these subjects for the
11 public schools. It shall be the duty of the officials or boards having authority over the respective
12 private, parochial and denominational schools to prescribe courses of study for the schools under
13 their control and supervision similar to those required for the public schools. To further such study,
14 every high school student eligible by age for voter registration shall be afforded the opportunity to
15 register to vote pursuant to section twenty-two, article two, chapter three of this code.

16 (b) The study of the history of the United States and the United States' founding documents
17 required by subsection (a) of this section shall include the study of the Declaration of Independence
18 and the Constitution of the United States with an emphasis on the Bill of Rights, using the historical,
19 political and social environments surrounding each document at the time of its initial passage or
20 ratification and shall include the study of historical documents such as the Federalist Papers and the
21 Anti-federalist Papers to firmly establish the historical background leading to the establishment of
22 the provisions of the Constitution and Bill of Rights by the founding fathers for the purposes of

1 safeguarding our Constitutional republic.

2 (c) Before students may participate in secondary level courses involving the study of social
3 problems, global economics, foreign affairs, the United Nations, world government, socialism or
4 communism, pupils shall first have completed basic instruction in geography, United States history,
5 United States government and the government of the State of West Virginia, local governments in
6 West Virginia, the Declaration of Independence and the Constitutions of the United States and the
7 State of West Virginia.

8 ~~(b)~~ (d) The state board shall cause to be taught in all of the public schools of this state the
9 subject of health education, including instruction in any of the grades six through twelve as
10 considered appropriate by the county board, on: (1) The prevention, transmission and spread of
11 acquired immune deficiency syndrome and other sexually transmitted diseases; (2) substance abuse,
12 including the nature of alcoholic drinks and narcotics, tobacco products, and other potentially
13 harmful drugs, with special instruction as to their effect upon the human system and upon society
14 in general; (3) the importance of healthy eating and physical activity to maintaining healthy weight;
15 and (4) education concerning CPR and First Aid. The course curriculum requirements and materials
16 for the instruction shall be adopted by the state board by rule in consultation with the Department
17 of Health and Human Resources. The state board shall prescribe a standardized health education
18 assessment to be administered within health education classes to measure student health knowledge
19 and program effectiveness.

20 An opportunity shall be afforded to the parent or guardian of a child subject to instruction
21 in the prevention, transmission and spread of acquired immune deficiency syndrome and other
22 sexually transmitted diseases to examine the course curriculum requirements and materials to be

1 used in the instruction. The parent or guardian may exempt the child from participation in the
2 instruction by giving notice to that effect in writing to the school principal.

3 ~~(c)~~ (e) Any person violating the provisions of this section shall be guilty of a misdemeanor
4 and, upon conviction thereof, shall be fined not exceeding \$10 for each violation, and each week
5 during which there is a violation shall constitute a separate offense. If the person so convicted
6 occupy a position in connection with the public schools, that person shall automatically be removed
7 from that position and shall be ineligible for reappointment to that or a similar position for the period
8 of one year.

NOTE: The purpose of this bill is to require the accumulation of one and one-half years of instruction in the study of the Declaration of Independence and other founding American historical documents, including the Bill of Rights, before high school graduation. The bill also requires that students study the historical, political and social environments at the time these documents were generated and it prohibits study of social problems, economics, foreign affairs, the United Nations, world government, socialism or communism until basic courses in American state and local geography and history are completed.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.