

Senate Bill No. 7

(By Senators Stollings, Boley, Ferns, Gaunch, D. Hall, M. Hall, Walters, Blair, Plymale, Unger,
Kirkendoll, Kessler, Facemire, Cole (Mr. President), Takubo and Williams)

[Introduced January 14, 2015; referred to the Committee on Education.]

**FISCAL
NOTE**

A BILL to amend and reenact §18-2-9 of the Code of West Virginia, 1931, as amended, relating to
required course of instruction in all public schools in West Virginia; and requiring instruction
in cardiopulmonary resuscitation and care for conscious choking.

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
shall be given prior to the completion of the eighth grade at least one year of instruction in the history
of the State of West Virginia. The schools shall require regular courses of instruction by the
completion of the twelfth grade in the history of the United States, in civics, in the Constitution of
the United States, and in the government of the State of West Virginia for the purpose of teaching,

1 fostering and perpetuating the ideals, principles and spirit of political and economic democracy in
2 America and increasing the knowledge of the organization and machinery of the government of the
3 United States and of the State of West Virginia. The state board shall, with the advice of the state
4 superintendent, prescribe the courses of study covering these subjects for the public schools. It shall
5 be the duty of the officials or boards having authority over the respective private, parochial and
6 denominational schools to prescribe courses of study for the schools under their control and
7 supervision similar to those required for the public schools. To further such study, every high school
8 student eligible by age for voter registration shall be afforded the opportunity to register to vote
9 pursuant to section twenty-two, article two, chapter three of this code.

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

22 (c)(1) After July 1, 2016, the state board shall require to be taught in all of the public schools

1 of this state once during grades nine through twelve as a requirement for graduation at least thirty
2 minutes of instruction on the subject of cardiopulmonary resuscitation, which must include a psycho-
3 motor skills component. However, full certification is encouraged.

4 (2) Instruction may be given by community members such as emergency medical technicians,
5 paramedics, police officers, firefighters and representatives of the American Heart Association or
6 the American Red Cross. These community members are encouraged to provide necessary training
7 and instructional resources such as cardiopulmonary resuscitation kits and other material at no cost
8 to the schools.

9 (d) An opportunity shall be afforded to the parent or guardian of a child subject to instruction
10 in the prevention, transmission and spread of acquired immune deficiency syndrome and other
11 sexually transmitted diseases to examine the course curriculum requirements and materials to be
12 used in the instruction. The parent or guardian may exempt the child from participation in the
13 instruction by giving notice to that effect in writing to the school principal.

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

NOTE: The purpose of this bill is to require CPR to be taught in the public school system as a condition of graduation.

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