

# **WEST VIRGINIA LEGISLATURE**

## **2016 REGULAR SESSION**

**Introduced**

### **House Bill 2972**

**2015 Carryover**

(BY DELEGATE OVERINGTON, MOFFATT, SOBONYA,  
FRICH, FOSTER AND ZATEZALO)

[Introduced January 13, 2016; referred to the  
Committee on Education then the Judiciary.]

1 A BILL to amend and reenact §18-2-9 of the Code of West Virginia, 1931, as amended, relating  
 2 to required courses of school instruction generally; requiring the accumulation of one and  
 3 one-half years of instruction in the study of the Declaration of Independence and other  
 4 founding American historical documents including the Bill of Rights and requiring study of  
 5 the historical, political and social environments at the time these documents were  
 6 generated before high school graduation; and removing misdemeanor penalty.

*Be it enacted by the Legislature of West Virginia:*

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

**ARTICLE 2. STATE BOARD OF EDUCATION.**

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

1 (a) In all public, private, parochial and denominational schools located within this state,  
 2 there shall be given prior to the completion of the eighth grade at least one year of instruction in  
 3 the history of the State of West Virginia. The schools shall require ~~regular~~ regular for graduation courses  
 4 of instruction, accumulating to a minimum of one and one-half years of instruction, by the  
 5 completion of the twelfth grade in the history of the United States, in civics, in the study of the  
 6 United States' founding documents, specifically, the Declaration of Independence, in the  
 7 Constitution of the United States, with emphasis on the Bill of Rights and in the government of  
 8 the State of West Virginia for the purpose of teaching, fostering and perpetuating the ideals,  
 9 principles and spirit of political and economic democracy in America and increasing the  
 10 knowledge of the organization and machinery of the government of the United States and of the  
 11 State of West Virginia. The state board shall, with the advice of the state superintendent,  
 12 prescribe the courses of study covering these subjects for the public schools. It shall be the duty  
 13 of the officials or boards having authority over the respective private, parochial and

14 denominational schools to prescribe courses of study for the schools under their control and  
15 supervision similar to those required for the public schools. To further such study, every high  
16 school student eligible by age for voter registration shall be afforded the opportunity to register to  
17 vote pursuant to section twenty-two, article two, chapter three of this code.

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

27 ~~(b)~~ (c) The state board shall cause to be taught in all of the public schools of this state the  
28 subject of health education, including instruction in any of the grades six through twelve as  
29 considered appropriate by the county board, on: (1) The prevention, transmission and spread of  
30 acquired immune deficiency syndrome and other sexually transmitted diseases; (2) substance  
31 abuse, including the nature of alcoholic drinks and narcotics, tobacco products, and other  
32 potentially harmful drugs, with special instruction as to their effect upon the human system and  
33 upon society in general; (3) the importance of healthy eating and physical activity to maintaining  
34 healthy weight; and (4) education concerning CPR and First Aid. The course curriculum  
35 requirements and materials for the instruction shall be adopted by the state board by rule in  
36 consultation with the Department of Health and Human Resources. The state board shall  
37 prescribe a standardized health education assessment to be administered within health education

38 classes to measure student health knowledge and program effectiveness.

39 An opportunity shall be afforded to the parent or guardian of a child subject to instruction  
40 in the prevention, transmission and spread of acquired immune deficiency syndrome and other  
41 sexually transmitted diseases to examine the course curriculum requirements and materials to be  
42 used in the instruction. The parent or guardian may exempt the child from participation in the  
43 instruction by giving notice to that effect in writing to the school principal.

44 ~~(c) Any person violating the provisions of this section shall be guilty of a misdemeanor~~  
45 ~~and, upon conviction thereof, shall be fined not exceeding \$10 for each violation, and each week~~  
46 ~~during which there is a violation shall constitute a separate offense. If the person so convicted~~  
47 ~~occupy a position in connection with the public schools, that person shall automatically be~~  
48 ~~removed from that position and shall be ineligible for reappointment to that or a similar position~~  
49 ~~for the period 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 and that students study the historical, political and social environments at the time these documents were generated, before high school graduation.

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