

# **WEST VIRGINIA LEGISLATURE**

## **2019 REGULAR SESSION**

**Introduced**

### **Senate Bill 328**

BY SENATORS CLINE, RUCKER, AND HAMILTON

[Introduced January 16, 2019; Referred  
to the Committee on Education; and then to the Committee  
on Finance]

1 A BILL to amend and reenact §18-2-9 of the Code of West Virginia, 1931, as amended, relating  
2 to the required teaching of an agricultural science education course.

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

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

### **§18-2-9. Required courses of instruction.**

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 courses of instruction  
4 by the completion of the 12th grade in the history of the United States, in civics, in the Constitution  
5 of the United States and in the government of the State of West Virginia for the purpose of  
6 teaching, fostering and perpetuating the ideals, principles and spirit of political and economic  
7 democracy in America and increasing the knowledge of the organization and machinery of the  
8 government of the United States and of the State of West Virginia. The state board shall, with the  
9 advice of the state superintendent, prescribe the courses of study covering these subjects for the  
10 public schools. It shall be the duty of the officials or boards having authority over the respective  
11 private, parochial and denominational schools to prescribe courses of study for the schools under  
12 their control and supervision similar to those required for the public schools. To further such study,  
13 every high school student eligible by age for voter registration shall be afforded the opportunity to  
14 register to vote pursuant to §3-2-22 of this code.

15 (b) The state board shall cause to be taught in all of the public schools of this state the  
16 subject of health education, including instruction in any of the grades six through 12 as considered  
17 appropriate by the county board, on: (1) The prevention, transmission and spread of acquired  
18 immune deficiency syndrome and other sexually transmitted diseases; (2) substance abuse,  
19 including the nature of alcoholic drinks and narcotics, tobacco products and other potentially  
20 harmful drugs, with special instruction as to their effect upon the human system and upon society  
21 in general; (3) the importance of healthy eating and physical activity to maintaining healthy weight;

22 and (4) education concerning cardiopulmonary resuscitation and first aid, including instruction in  
23 the care for conscious choking, and recognition of symptoms of drug or alcohol overdose. The  
24 course curriculum requirements and materials for the instruction shall be adopted by the state  
25 board by rule in consultation with the Department of Health and Human Resources. The state  
26 board shall prescribe a standardized health education assessment to be administered within  
27 health education classes to measure student health knowledge and program effectiveness.

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

33 (d) After July 1, 2015, the required instruction in cardiopulmonary resuscitation in §18-2-9  
34 (b) of this code shall include at least 30 minutes of instruction for each student prior to graduation  
35 on the proper administration of cardiopulmonary resuscitation (CPR) and the psychomotor skills  
36 necessary to perform cardiopulmonary resuscitation. The term “psychomotor skills” means the  
37 use of hands-on practicing to support cognitive learning. Cognitive-only training does not qualify  
38 as “psychomotor skills”. The CPR instruction must be based on an instructional program  
39 established by the American Heart Association or the American Red Cross or another program  
40 which is nationally recognized and uses the most current national evidence-based Emergency  
41 Cardiovascular Care guidelines and incorporates psychomotor skills development into the  
42 instruction. A licensed teacher is not required to be a certified trainer of cardiopulmonary  
43 resuscitation to facilitate, provide or oversee such instruction. The instruction may be given by  
44 community members, such as emergency medical technicians, paramedics, police officers,  
45 firefighters, licensed nurses, and representatives of the American Heart Association or the  
46 American Red Cross. These community members are encouraged to provide necessary training  
47 and instructional resources such as cardiopulmonary resuscitation kits and other material at no

48 cost to the schools. The requirements of this subsection are minimum requirements. A local  
49 school district may offer CPR instruction for longer periods of time and may enhance the  
50 curriculum and training components, including, but not limited to, incorporating into the instruction  
51 the use of an automated external defibrillator (AED): *Provided*, That any instruction that results in  
52 a certification being earned must be taught by an authorized CPR/AED instructor.

53 (e) The full week of classes during the week within which September 11 falls shall be  
54 recognized as "Celebrate Freedom Week." The purpose of Celebrate Freedom Week is to  
55 educate students about the sacrifices made for freedom in the founding of this country and the  
56 values on which this country was founded.

57 Celebrate Freedom Week must include appropriate instruction in each social studies class  
58 which:

59 (1) Includes an in-depth study of the intent, meaning and importance of the Declaration of  
60 Independence and the Constitution of the United States with an emphasis on the Bill of Rights;

61 (2) Uses the historical, political and social environments surrounding each document at  
62 the time of its initial passage or ratification; and

63 (3) Includes the study of historical documents to firmly establish the historical background  
64 leading to the establishment of the provisions of the Constitution and Bill of Rights by the founding  
65 fathers for the purposes of safeguarding our Constitutional republic.

66 The requirements of this subsection are applicable to all public, private, parochial, and  
67 denominational schools located within this state. Nothing in this subsection creates a standard or  
68 requirement subject to state accountability measures.

69 (f) Beginning the 2018-2019 school year, students in the public schools shall be  
70 administered a test the same as or substantially similar to the civics portion of the naturalization  
71 test used by the United States Citizenship and Immigration Services between their ninth and 12th  
72 grade years as an indicator of student achievement in the area of civics education. The test results  
73 may be reported in the aggregate to the county board for evaluation by the board's curriculum

74 director and reported to the board members. Nothing in this subsection creates a standard or  
75 requirement subject to state accountability measures.

76 (g) As part of the units of science required for graduation, there shall be taught an  
77 agricultural science program. In presenting this course:

78 (1) The agricultural education instructor shall work cooperatively with the school's science  
79 department in planning and delivery;

80 (2) The program course of study illustrate the aligned science and academic content  
81 standards;

82 (3) The program clearly addresses the requirement for inquiry-based laboratory  
83 experiences; and

84 (4) The teachers participate in professional development that strengthens and refines their  
85 ability to become exemplary in their field.

NOTE: The purpose of this bill is to require an agricultural science program be taught as part of the required science curriculum.

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