

# **WEST VIRGINIA LEGISLATURE**

## **2019 REGULAR SESSION**

**Introduced**

### **House Bill 2742**

BY DELEGATE RODIGHIERO

[Introduced January 30, 2019; 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 courses of instruction in all schools located within this state; and making available  
 3 elective courses on the history of the Old and New Testaments of the Bible.

*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 twelfth grade in the history of the United States, in civics, in the  
 5 Constitution of the United States and in the government of the State of West Virginia for the  
 6 purpose of teaching, fostering and perpetuating the ideals, principles and spirit of political and  
 7 economic democracy in America and increasing the knowledge of the organization and machinery  
 8 of the government of the United States and of the State of West Virginia and making available,  
 9 as an elective course of instruction, the history of the Old and New Testaments of the Bible. The  
 10 state board shall, with the advice of the state superintendent, prescribe the courses of study  
 11 covering these subjects for the public schools. ~~It shall be the duty of~~ The officials or boards having  
 12 authority over the respective private, parochial and denominational schools ~~to~~ shall prescribe  
 13 courses of study for the schools under their control and supervision similar to those required for  
 14 the public schools. To further such study, every high school student eligible by age for voter  
 15 registration shall be afforded the opportunity to register to vote pursuant to §3-2-20 of this code.

16 (b) The state board shall cause to be taught in all of the public schools of this state the  
 17 subject of health education, including instruction in any of the grades six through 12 as considered  
 18 appropriate by the county board, on: (1) The prevention, transmission and spread of acquired  
 19 immune deficiency syndrome and other sexually transmitted diseases; (2) substance abuse,

20 including the nature of alcoholic drinks and narcotics, tobacco products and other potentially  
21 harmful drugs, with special instruction as to their effect upon the human system and upon society  
22 in general; (3) the importance of healthy eating and physical activity to maintaining healthy weight;  
23 and (4) education concerning cardiopulmonary resuscitation and first aid, including instruction in  
24 the care for conscious choking, and recognition of symptoms of drug or alcohol overdose. The  
25 course curriculum requirements and materials for the instruction shall be adopted by the state  
26 board by rule in consultation with the Department of Health and Human Resources. The state  
27 board shall prescribe a standardized health education assessment to be administered within  
28 health education classes to measure student health knowledge and program effectiveness.

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

34 (d) After July 1, 2015, the required instruction in cardiopulmonary resuscitation in  
35 subsection (b) of this section shall include at least 30 minutes of instruction for each student prior  
36 to graduation on the proper administration of cardiopulmonary resuscitation (CPR) and the  
37 psychomotor skills necessary to perform cardiopulmonary resuscitation. The term “psychomotor  
38 skills” means the use of hands-on practicing to support cognitive learning. Cognitive-only training  
39 does not qualify as “psychomotor skills”. The CPR instruction must be based on an instructional  
40 program established by the American Heart Association or the American Red Cross or another  
41 program which is nationally recognized and uses the most current national evidence-based  
42 Emergency Cardiovascular Care guidelines and incorporates psychomotor skills development  
43 into the instruction. A licensed teacher is not required to be a certified trainer of cardiopulmonary  
44 resuscitation to facilitate, provide or oversee such instruction. The instruction may be given by

45 community members, such as emergency medical technicians, paramedics, police officers,  
46 firefighters, licensed nurses and representatives of the American Heart Association or the  
47 American Red Cross. These community members are encouraged to provide necessary training  
48 and instructional resources such as cardiopulmonary resuscitation kits and other material at no  
49 cost to the schools. The requirements of this subsection are minimum requirements. A local  
50 school district may offer CPR instruction for longer periods of time and may enhance the  
51 curriculum and training components, including, but not limited to, incorporating into the instruction  
52 the use of an automated external defibrillator (AED): *Provided*, That any instruction that results in  
53 a certification being earned must be taught by an authorized CPR/AED instructor.

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

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

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

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

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

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

70 (f) Beginning the 2018-2019 school year, students in the public schools shall be  
71 administered a test the same as or substantially similar to the civics portion of the naturalization  
72 test used by the United States Citizenship and Immigration Services between their ninth and  
73 twelfth grade years as an indicator of student achievement in the area of civics education. The  
74 test results may be reported in the aggregate to the county board for evaluation by the board's  
75 curriculum director and reported to the board members. Nothing in this subsection creates a  
76 standard or requirement subject to state accountability measures.

NOTE: The purpose of this bill is to make available elective courses of instruction in all schools located within this state on the history of the Old and New Testaments of the Bible.

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