

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

Introduced

House Bill 4623

BY DELEGATES HIGGINBOTHAM, ELLINGTON, STEELE,
GRAVES, STORCH, HANNA, HOWELL, C. MARTIN, HOTT,
BARNHART AND DEAN

[Introduced January 31, 2020; Referred to the
Committee on Education then Finance]

1 A BILL to amend and reenact §18-2-9 of the Code of West Virginia, 1931, as amended, relating
2 to requiring all schools to instruct students on the Holocaust and other genocides.

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. The state board shall,
9 with the advice of the State Superintendent, prescribe the courses of study covering these
10 subjects for the public schools. It shall be the duty of the officials or boards having authority over
11 the respective private, parochial and denominational schools to prescribe courses of study for the
12 schools under their control and supervision similar to those required for the public schools. To
13 further such study, every high school student eligible by age for voter registration shall be afforded
14 the opportunity to 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
34 subsection (b) of this section shall include at least 30 minutes of instruction for each student prior
35 to graduation on the proper administration of cardiopulmonary resuscitation (CPR) and the
36 psychomotor skills necessary to perform cardiopulmonary resuscitation. The term "psychomotor
37 skills" means the use of hands-on practicing to support cognitive learning. Cognitive-only training
38 does not qualify as "psychomotor skills". The CPR instruction must be based on an instructional
39 program established by the American Heart Association or the American Red Cross or another
40 program which is nationally recognized and uses the most current national evidence-based
41 Emergency Cardiovascular Care guidelines and incorporates psychomotor skills development
42 into the 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) A full week of classes during the week selected by the county board of education shall
54 be 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, the Emancipation Proclamation and the Constitution of the United States with an
61 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.

77 (g) In all public, middle and high schools located within this state there shall be given
78 instruction on the Holocaust and other genocides in order to teach students knowledge of the
79 Holocaust and other genocides, identify relevant global actors in historical genocides, inform
80 students of social and political contextual factors that influence genocides, describe the outcomes
81 of genocides; familiarize students with, as applicable, the history, context, and explanation of the
82 Holocaust and other genocides, and the influence of the Holocaust and other genocides on law,
83 history, government, migration, religion, literature, art, music, customs, morals, values and
84 culture.

NOTE: The purpose of this bill is to require courses for all students regarding the Holocaust and other genocides.

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