

# WEST VIRGINIA LEGISLATURE

## 2020 REGULAR SESSION

**Enrolled**

**Senate Bill 42**

BY SENATORS MAYNARD AND CLINE

[Passed March 7, 2020; in effect 90 days from  
passage]

FILED

2020 MAR 25 P 3:44

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

SB42

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1 AN ACT to amend and reenact §18-2-7b of the Code of West Virginia, 1931, as amended, relating  
2 to permitting the county boards of education to include faith-based and nonfaith-based  
3 electives for drug awareness in classrooms; and requiring the State Board of Education  
4 to promulgate a rule.

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

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

**§18-2-7b. Programs in drug prevention and violence reduction.**

1 (a) In order for the schools to become healthy learning environments and to provide a  
2 strong defense against drug use and violence, the State Board of Education shall prescribe  
3 programs within the existing health and physical education program which teach resistance and  
4 life skills to counteract societal and peer pressure to use drugs, alcohol, and tobacco, and shall  
5 include counselors, teachers, and staff in full implementation of the program. The board shall also  
6 prescribe programs to coordinate violence reduction efforts in schools and between schools and  
7 their communities and to train students, teachers, counselors, and staff in conflict resolution skills.  
8 The program shall be comprehensive, interdisciplinary, and shall begin in elementary school.

9 (b) No later than the start of the 2018-2019 school year, a county board shall implement  
10 comprehensive drug awareness and prevention programs for students in grades K through 12 to  
11 receive instruction regarding the dangers of substance abuse. The purpose of the drug awareness  
12 and prevention program is to:

13 (1) Keep students from illegally using alcohol, tobacco, or other drugs;

14 (2) Reduce or eliminate the incidence and prevalence of student's alcohol, tobacco, and  
15 other drug abuse;

16 (3) Reduce the factors that place students at risk of abusing alcohol, tobacco, or other  
17 drugs through school and a community-based planning processes;

18 (4) Contribute to the development of school environments and alternative activities that  
19 are alcohol, tobacco, and drug-free;

20 (5) Increase the knowledge and skills of students, staff, and community members for  
21 avoiding the harmful effects of alcohol, tobacco, and drug use, and of blood borne pathogens;

22 (6) Actively involve staff, students, parents, and community members in the development  
23 and implementation of the drug awareness and prevention program plans;

24 (7) Facilitate an understanding and appreciation of the risks to, duties of, and likely actions  
25 by law-enforcement officers when conducting investigations; and

26 (8) Instruct how to respond to an officer during a vehicular or other stop or police  
27 interaction, including problematic or dangerous action and behaviors that could result in a person  
28 being detained or arrested.

29 (c) The county board shall coordinate the delivery of instruction to meet the purposes of  
30 subsection (b) of this section with educators, drug rehabilitation specialists, and law-enforcement  
31 agencies to periodically provide age appropriate student education on their experiences with the  
32 impacts of illegal alcohol and drug use.

33 (d) Beginning with the 2018-2019 school year, instruction required pursuant to §18-2-9 of  
34 this code in the subject of health education in any of the grades six through 12 as considered  
35 appropriate by the county board shall include at least 60 minutes of instruction for each student  
36 on the dangers of opioid use, the additive characteristics of opioids, and safer alternatives to treat  
37 pain.

38 (e) Beginning with the 2020-2021 school year, comprehensive drug awareness and  
39 prevention programs for students in grades K through 12 may include faith-based electives, along  
40 with nonfaith-based electives, for drug awareness in classrooms. The state board shall  
41 promulgate a rule on how the faith-based electives can be offered in a way that is consistent with  
42 constitutional requirements.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*Marty Spangol*  
.....  
Chairman, Senate Committee

*Steve Caputo*  
.....  
Chairman, House Committee

FILED  
2020 MAR 25 P 3:44  
OFFICE OF THE CLERK  
SECRETARY OF STATE

Originated in the Senate.

In effect 90 days from passage.

*Joe Linn*  
.....  
Clerk of the Senate

*Steve Harris*  
.....  
Clerk of the House of Delegates

*Mitch B. Cummings*  
.....  
President of the Senate

*Lee Zank*  
.....  
Speaker of the House of Delegates

The within *is approved* this the *25th*  
Day of *March* ....., 2020.

*James Perdue*  
.....  
Governor

PRESENTED TO THE GOVERNOR

MAR 18 2020

Time 3:15 pm