

1 **H. B. 2414**

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3 (By Delegates Armstead and C. Miller)
4 [Introduced January 12, 2011; referred to the
5 Committee on Education.]
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10 A BILL to amend and reenact §18-2-9 of the Code of West Virginia,
11 1931, as amended, relating to required courses of school
12 instruction generally; instituting a "Celebrate Freedom Week";
13 and requiring in-depth study of the Declaration of
14 Independence and other founding American historical documents
15 including the Bill of Rights; and misdemeanor criminal
16 penalty.

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

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

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

21 **§18-2-9. Required courses of instruction; violation and penalty.**

22 (a) In all public, private, parochial and denominational
23 schools located within this state, there shall be given prior to
24 the completion of the eighth grade at least one year of instruction

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

20 (b) In order to educate students about the sacrifices made for
21 freedom in the founding of this country and the values this country
22 was founded upon, a full week of classes, during the week that
23 September 11 occurs, shall be recognized in all public schools
24 located within this state as "Celebrate Freedom Week." "Celebrate

1 Freedom Week” must include at least three hours of appropriate
2 instruction, including an in-depth study of the intent, meaning and
3 importance of the Declaration of Independence and the Constitution
4 of the United States with an emphasis on the Bill of Rights, using
5 the historical, political and social environments surrounding each
6 document at the time of its initial passage or ratification, and
7 shall include the study of historical documents leading to the
8 establishment of the Declaration, the Constitution, and the Bill of
9 Rights by the founding fathers for the purposes of safeguarding our
10 constitutional republic.

11 ~~(b)~~ (c) The state board shall cause to be taught in all of the
12 public schools of this state the subject of health education,
13 including instruction in any of the grades six through twelve as
14 considered appropriate by the county board, on: (1) The
15 prevention, transmission and spread of acquired immune deficiency
16 syndrome and other sexually transmitted diseases; (2) substance
17 abuse, including the nature of alcoholic drinks and narcotics,
18 tobacco products, and other potentially harmful drugs, with special
19 instruction as to their effect upon the human system and upon
20 society in general; (3) the importance of healthy eating and
21 physical activity to maintaining healthy weight; and (4) education
22 concerning CPR and first aid. The course curriculum requirements
23 and materials for the instruction shall be adopted by the state
24 board by rule in consultation with the Department of Health and

1 Human Resources. The state board shall prescribe a standardized
2 health education assessment to be administered within health
3 education classes to measure student health knowledge and program
4 effectiveness.

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

12 ~~(c)~~ (d) Any person violating ~~the provisions of~~ this section
13 ~~shall be~~ is guilty of a misdemeanor and, upon conviction thereof,
14 shall be fined not exceeding \$10 for each violation, and each week
15 during which there is a violation ~~shall constitute~~ constitutes a
16 separate offense. If the person so convicted ~~occupy~~ occupies a
17 position in connection with the public schools, that person shall
18 automatically be removed from that position and ~~shall be~~ is
19 ineligible for reappointment to that or a similar position for the
20 period of one year.

NOTE: The purpose of this bill is to institute a "Celebrate Freedom Week" and require the instruction in the study of the Declaration of Independence and other founding American historical documents, including the Bill of Rights, during this week.

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

be added.