

1 COMMITTEE SUBSTITUTE

2 FOR

3 **Senate Bill No. 381**

4 (By Senators Stollings, Plymale and Unger)

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6 [Originating in the Committee on Health and Human Resources;
7 reported January 22, 2014.]

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11 A BILL to amend and reenact §18-2-9 of the Code of West Virginia,
12 1931, as amended, relating to required course of instruction
13 in all public schools in West Virginia; and requiring
14 instruction in cardiopulmonary resuscitation and the Heimlich
15 maneuver.

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

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

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

20 **§18-2-9. Required courses of instruction; violation and penalty.**

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

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

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

1 abuse, including the nature of alcoholic drinks and narcotics,
2 tobacco products, and other potentially harmful drugs, with special
3 instruction as to their effect upon the human system and upon
4 society in general; (3) the importance of healthy eating and
5 physical activity to maintaining healthy weight; and (4) education
6 concerning ~~CPR~~ and First Aid which includes instruction in the
7 heimlick maneuver. The course curriculum requirements and
8 materials for the instruction shall be adopted by the state board
9 by rule in consultation with the Department of Health and Human
10 Resources. The state board shall prescribe a standardized health
11 education assessment to be administered within health education
12 classes to measure student health knowledge and program
13 effectiveness.

14 (c) (1) After July 1, 2015, the state board shall require to
15 be taught in all of the public schools of this state as a
16 requirement for graduation, thirty minutes of instruction on the
17 subject of cardiopulmonary resuscitation, which must include a
18 psycho-motor skills component.

19 (2) Instruction may be given by community members such as
20 emergency medical technicians, paramedics, police officers,
21 firefighters, and representatives of the American Heart Association
22 or the American Red Cross. These community members are encouraged
23 to provide necessary training and instructional resources such as
24 cardiopulmonary resuscitation kits and other material at no cost to

1 the schools.

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

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

NOTE: The purpose of this bill is to require CPR to be taught
in the public school system as a condition of graduation.

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