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**Senate Bill No. 381**

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(By Senators Stollings, Plymale and Unger)

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4 [Introduced January 20, 2014; referred to the Committee on Health  
5 and Human Resources; and then to the 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 course of instruction  
12 in all public schools in West Virginia; and requiring  
13 instruction in cardiopulmonary resuscitation.

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

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

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

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

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

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

18       (b) The state board shall cause to be taught in all of the  
19 public schools of this state the subject of health education,  
20 including instruction in any of the grades six through twelve as  
21 considered appropriate by the county board, on:     (1) The  
22 prevention, transmission and spread of acquired immune deficiency  
23 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. The course curriculum requirements  
7 and materials for the instruction shall be adopted by the state  
8 board by rule in consultation with the Department of Health and  
9 Human Resources. The state board shall prescribe a standardized  
10 health education assessment to be administered within health  
11 education classes to measure student health knowledge and program  
12 effectiveness.

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

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

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

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