

# **WEST VIRGINIA LEGISLATURE**

## **2017 REGULAR SESSION**

**Introduced**

### **House Bill 2387**

BY DELEGATE BYRD, ROHRBACH, KESSINGER, LANE,

ELLINGTON, DEAN AND MOORE

[Introduced February 13, 2017; Referred  
to the Committee on Prevention and Treatment of  
Substance Abuse then Education.]

1 A BILL to amend and reenact §18-2-7b of the Code of West Virginia, 1931, as amended, relating  
 2 to requiring the State Board of Education to prescribe a comprehensive drug awareness  
 3 and prevention program to be implemented by county boards of education that mandates  
 4 students in grades K through 12 receive instruction regarding the dangers of substance  
 5 abuse; providing purposes of the drug awareness and prevention program; requiring the  
 6 State Board of Education to coordinate the directives of this amendment with educators,  
 7 drug rehabilitation specialists and law-enforcement agencies; and providing instruction to  
 8 students on risks, if stopped by law-enforcement officers, and proper responses and  
 9 behavior, if arrested.

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

1 That §18-2-7b of the Code of West Virginia, 1931, as amended, be amended and  
 2 reenacted to read as follows:

**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. The  
 9 state board shall report to the Legislative Oversight Commission on education accountability on  
 10 the status of the programs no later than July 1, 1995.

11 (b) No later than the start of the 2017-2018 school year, the State Board of Education shall  
 12 require each county board of education to implement a comprehensive drug awareness and

13 prevention program that mandates students in grades K through 12 to receive instruction  
14 regarding the dangers of substance abuse. The purpose of the drug awareness and prevention  
15 program is to:

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

17 (2) Reduce or eliminate the incidence and prevalence of student alcohol, tobacco and  
18 other drug abuse;

19 (3) Reduce the factors that place students at risk with alcohol, tobacco or other drugs  
20 through school and community based planning processes;

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

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

25 (6) Actively involve staff, students, parents and other community members in the  
26 development and implementation of the drug awareness and prevention program plans.

27 (c) The state board shall coordinate the directives of subsection (b) of this section with  
28 educators, drug rehabilitation specialists and law-enforcement agencies to periodically provide  
29 opportunities for age appropriate student education on their experiences on the impacts of illegal  
30 alcohol and drug use.

31 (d) The drug awareness and prevention program shall also include instruction to facilitate  
32 understanding and appreciation by the students for;

33 (1) The risks to, duties of, and likely actions by law-enforcement officers when conducting  
34 investigations; and

35 (2) Instruction on how to respond to an officer during a vehicular or other stop or police  
36 interaction, including problematic or dangerous actions and behaviors that could result in a person  
37 being detained or arrested.

NOTE: The purpose of this bill is to require the State Board of Education to prescribe a comprehensive drug awareness and prevention program to be implemented by county boards of education that mandates students in grades K through 12 receive instruction regarding the dangers of substance abuse. The bill enumerates purposes of the drug awareness and prevention program. It requires the State Board of Education to coordinate the directives of this bill with educators, drug rehabilitation specialists and law-enforcement agencies. And, the bill provides for instruction to students on the risks, if stopped by law-enforcement officers, and proper responses and behavior, if arrested.

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