

# **WEST VIRGINIA LEGISLATURE**

## **2017 REGULAR SESSION**

**Introduced**

### **House Bill 2421**

BY DELEGATES OVERINGTON, FRICH, FOSTER, G.,  
WILSON, HOUSEHOLDER, UPSON, DEEM, FOSTER, N.,  
BUTLER, FOLK AND PHILLIPS

[Introduced February 14, 2017; Referred  
to the Committee on Education then the Judiciary.]

1 A BILL to amend and reenact §18-2-9 of the Code of West Virginia, 1931, as amended, relating  
2 to required courses of school instruction generally; requiring the accumulation of one and  
3 one-half years of instruction in the study of the Declaration of Independence and other  
4 founding American historical documents including the Bill of Rights and requiring study of  
5 the historical, political and social environments at the time these documents were  
6 generated before high school graduation.

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

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

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

### **§18-2-9. Required courses of instruction.**

1 (a) In all public, private, parochial and denominational schools located within this state  
2 there shall be given prior to the completion of the eighth grade at least one year of instruction in  
3 the history of the State of West Virginia. The schools shall require ~~regular~~ for graduation courses  
4 of instruction, accumulating to a minimum of one and one-half years of instruction by the  
5 completion of the twelfth grade in the history of the United States, in civics, in the study of the  
6 United States' founding documents, specifically the Declaration of Independence, in the  
7 Constitution of the United States, with emphasis on the Bill of Rights and in the government of  
8 the State of West Virginia for the purpose of teaching, fostering and perpetuating the ideals,  
9 principles and spirit of political and economic democracy in America and increasing the  
10 knowledge of the organization and machinery of the government of the United States and of the  
11 State of West Virginia. The state board shall, with the advice of the state superintendent, prescribe  
12 the courses of study covering these subjects for the public schools. It shall be the duty of the  
13 officials or boards having authority over the respective private, parochial and denominational  
14 schools to prescribe courses of study for the schools under their control and supervision similar  
15 to those required for the public schools. To further such study, every high school student eligible

16 by age for voter registration shall be afforded the opportunity to register to vote pursuant to section  
17 twenty-two, article two, chapter three of this code.

18 (b) The study of the history of the United States and the United States' founding  
19 documents required by subsection (a) of this section by the completion of the twelfth grade shall  
20 include the study of the Declaration of Independence and the Constitution of the United States  
21 with an emphasis on the Bill of Rights, using the historical, political and social environments  
22 surrounding each document at the time of its initial passage or ratification and shall include the  
23 study of historical documents such as the Federalist Papers and the Anti-Federalist Papers to  
24 firmly establish the historical background leading to the establishment of the provisions of the  
25 Constitution and Bill of Rights by the founding fathers for the purposes of safeguarding our  
26 Constitutional republic.

27 ~~(b)~~ (c) The state board shall cause to be taught in all of the public schools of this state the  
28 subject of health education, including instruction in any of the grades six through twelve as  
29 considered appropriate by the county board, on: (1) The prevention, transmission and spread of  
30 acquired immune deficiency syndrome and other sexually transmitted diseases; (2) substance  
31 abuse, including the nature of alcoholic drinks and narcotics, tobacco products and other  
32 potentially harmful drugs, with special instruction as to their effect upon the human system and  
33 upon society in general; (3) the importance of healthy eating and physical activity to maintaining  
34 healthy weight; and (4) education concerning cardiopulmonary resuscitation and first aid,  
35 including instruction in the care for conscious choking, and recognition of symptoms of drug or  
36 alcohol overdose. The course curriculum requirements and materials for the instruction shall be  
37 adopted by the state board by rule in consultation with the Department of Health and Human  
38 Resources. The state board shall prescribe a standardized health education assessment to be  
39 administered within health education classes to measure student health knowledge and program  
40 effectiveness.

41 ~~(c)~~ (d) An opportunity shall be afforded to the parent or guardian of a child subject to

42 instruction in the prevention, transmission and spread of acquired immune deficiency syndrome  
43 and other sexually transmitted diseases to examine the course curriculum requirements and  
44 materials to be used in the instruction. The parent or guardian may exempt the child from  
45 participation in the instruction by giving notice to that effect in writing to the school principal.

46 ~~(d)~~ (e) After July 1, 2015, the required instruction in cardiopulmonary resuscitation in  
47 subsection ~~(b)~~ (c) of this section shall include at least thirty minutes of instruction for each student  
48 prior to graduation on the proper administration of cardiopulmonary resuscitation (CPR) and the  
49 psychomotor skills necessary to perform cardiopulmonary resuscitation. The term "psychomotor  
50 skills" means the use of hands-on practicing to support cognitive learning. Cognitive-only training  
51 does not qualify as "psychomotor skills". The CPR instruction must be based on an instructional  
52 program established by the American Heart Association or the American Red Cross or another  
53 program which is nationally recognized and uses the most current national evidence-based  
54 Emergency Cardiovascular Care guidelines and incorporates psychomotor skills development  
55 into the instruction. A licensed teacher is not required to be a certified trainer of cardiopulmonary  
56 resuscitation to facilitate, provide or oversee such instruction. The instruction may be given by  
57 community members, such as emergency medical technicians, paramedics, police officers,  
58 firefighters, licensed nurses and representatives of the American Heart Association or the  
59 American Red Cross. These community members are encouraged to provide necessary training  
60 and instructional resources such as cardiopulmonary resuscitation kits and other material at no  
61 cost to the schools. The requirements of this subsection are minimum requirements. A local  
62 school district may offer CPR instruction for longer periods of time and may enhance the  
63 curriculum and training components, including, but not limited to, incorporating into the instruction  
64 the use of an automated external defibrillator (AED): *Provided*, That any instruction that results in  
65 a certification being earned must be taught by an authorized CPR/AED instructor.

NOTE: The purpose of this bill is to require the accumulation of one and one-half years of instruction in the study of the Declaration of Independence and other founding American historical documents, including the Bill of Rights and that students study the historical, political and social environments at the time these documents were generated, before high school graduation.

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