WEST virginia legislature

**FISCAL NOTE**

2021 regular session

Introduced

House Bill 2555

By Delegates Fast, Rowan, Foster, Hanna, and Martin

[Introduced February 16, 2021; Referred

to the Committee on Education]

A BILL to amend and reenact §18-2-9 of the Code of West Virginia, 1931, as amended, relating to required courses of instruction; and incorporating into these courses the original texts of the Declaration of Independence, the Constitution of the United States and its amendments, with emphasis on the Bill of Rights, the Federalist Papers, the Emancipation Proclamation, the Constitution of West Virginia, and their original context; and including the Federalist Papers in Celebrate Freedom Week instruction.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. STATE BOARD OF EDUCATION.

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

(a) In all public, private, parochial and denominational schools located within this state there shall be given prior to the completion of the eighth grade at least one year of instruction in the history of the State of West Virginia. The schools shall require regular courses of instruction by the completion of the 12th grade in the history of the United States, in civics, in the Constitution of the United States and in the government of the State of West Virginia for the purpose of teaching, fostering and perpetuating the ideals, principles and spirit of political and economic democracy in America and increasing the knowledge of the organization and machinery of the government of the United States and of the State of West Virginia. The state board shall incorporate into these courses of instruction, no later than July 1, 2021, academic content regarding the original texts of the Mayflower Compact, the Declaration of Independence, the Constitution of the United States and its amendments, with emphasis on the Bill of Rights, the Federalist Papers, the Emancipation Proclamation and the Constitution of West Virginia, and their original contexts. The state board shall revise the model curricula and achievement assessments adopted under this section as necessary to reflect the additional West Virginia history and American and West Virginia government content. The State Board shall make available a list of suggested grade-appropriate supplemental readings that place the documents prescribed by this section in their original historical context, which teachers may use as a resource to assist students in reading the documents within that context. The state board shall, with the advice of the State Superintendent, prescribe the courses of study covering these subjects for the public schools. ~~It shall be the duty of~~ The officials or boards having authority over the respective private, parochial and denominational schools ~~to~~ shall prescribe courses of study for the schools under their control and supervision similar to those required for the public schools. To further such study, every high school student eligible by age for voter registration shall be afforded the opportunity to register to vote pursuant to §3-2-22 of this code.

(b) The state board shall cause to be taught in all of the public schools of this state the subject of health education, including instruction in any of the grades six through 12 as considered appropriate by the county board, on: (1) The prevention, transmission and spread of acquired immune deficiency syndrome and other sexually transmitted diseases; (2) substance abuse, including the nature of alcoholic drinks and narcotics, tobacco products and other potentially harmful drugs, with special instruction as to their effect upon the human system and upon society in general; (3) the importance of healthy eating and physical activity to maintaining healthy weight; and (4) education concerning cardiopulmonary resuscitation and first aid, including instruction in the care for conscious choking, and recognition of symptoms of drug or alcohol overdose. The course curriculum requirements and materials for the instruction shall be adopted by the state board by rule in consultation with the Department of Health and Human Resources. The state board shall prescribe a standardized health education assessment to be administered within health education classes to measure student health knowledge and program effectiveness.

(c) Advanced notice and ~~an~~ opportunity shall be afforded to the parent or guardian of a child subject to instruction in the prevention, transmission and spread of acquired immune deficiency syndrome and other sexually transmitted diseases to examine the course curriculum requirements and materials to be used in the instruction. The parent or guardian may exempt the child from participation in the instruction by giving notice to that effect in writing to the school principal.

(d) After July 1, 2015, the required instruction in cardiopulmonary resuscitation in subsection (b) of this section shall include at least 30 minutes of instruction for each student prior to graduation on the proper administration of cardiopulmonary resuscitation (CPR) and the psychomotor skills necessary to perform cardiopulmonary resuscitation. The term “psychomotor skills” means the use of hands-on practicing to support cognitive learning. Cognitive-only training does not qualify as “psychomotor skills”. The CPR instruction must be based on an instructional program established by the American Heart Association or the American Red Cross or another program which is nationally recognized and uses the most current national evidence-based Emergency Cardiovascular Care guidelines and incorporates psychomotor skills development into the instruction. A licensed teacher is not required to be a certified trainer of cardiopulmonary resuscitation to facilitate, provide or oversee such instruction. The instruction may be given by community members, such as emergency medical technicians, paramedics, police officers, firefighters, licensed nurses and representatives of the American Heart Association or the American Red Cross. These community members are encouraged to provide necessary training and instructional resources such as cardiopulmonary resuscitation kits and other material at no cost to the schools. The requirements of this subsection are minimum requirements. A local school district may offer CPR instruction for longer periods of time and may enhance the curriculum and training components, including, but not limited to, incorporating into the instruction the use of an automated external defibrillator (AED): *Provided,* That any instruction that results in a certification being earned must be taught by an authorized CPR/AED instructor.

(e) A full week of classes during the week selected by the county board of education shall be recognized as “Celebrate Freedom Week”. The purpose of Celebrate Freedom Week is to educate students about the sacrifices made for freedom in the founding of this country and the values on which this country was founded.

Celebrate Freedom Week must include appropriate instruction in each social studies class which:

(1) Includes an in-depth study of the intent, meaning and importance of the Mayflower Compact, the Declaration of Independence, the Emancipation Proclamation, ~~and~~ the Constitution of the United States with an emphasis on the Bill of Rights, and the Federalist Papers;

(2) Uses the historical, political, and social environments surrounding each document at the time of its initial passage or ratification; and

(3) Includes the study of historical documents to firmly establish the historical background leading to the establishment of the provisions of the Constitution and Bill of Rights by the founding fathers for the purposes of safeguarding our constitutional republic.

The requirements of this subsection are applicable to all public, private, parochial and denominational schools located within this state. Nothing in this subsection creates a standard or requirement subject to state accountability measures.

(f) Beginning the 2018-2019 school year, students in the public schools shall be administered a test the same as or substantially similar to the civics portion of the naturalization test used by the United States Citizenship and Immigration Services between their ninth and 12th grade years as an indicator of student achievement in the area of civics education. The test results may be reported in the aggregate to the county board for evaluation by the board’s curriculum director and reported to the board members. Nothing in this subsection creates a standard or requirement subject to state accountability measures.

NOTE: The purpose of this bill is to require certain courses of instruction and incorporate into these courses the original texts of the Declaration of Independence, the Constitution of the United States and its amendments, with emphasis on the Bill of Rights, the Federalist Papers, the Emancipation Proclamation, the Constitution of West Virginia, and their original context; and including the Federalist Papers in Celebrate Freedom Week instruction.

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