

# **WEST VIRGINIA LEGISLATURE**

## **2024 REGULAR SESSION**

**Introduced**

### **House Bill 4946**

By Delegates Willis, W. Clark, Ellington, Stephens,  
Hornby, Hite, Sheedy, Shamblin, E. Pritt, Dittman, and  
Winzenreid

[Introduced January 19, 2024; Referred to the  
Committee on Education]

1 A BILL to amend and reenact §18-2-9 of the Code of West Virginia, 1931, as amended, relating to  
 2 adding as required material in public schools the teaching of the full Constitution of the  
 3 United States, The Federalist Papers, and Martin Luther King Jr.'s Letters from  
 4 Birmingham Jail.

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

**ARTICLE            2.            STATE            BOARD            OF            EDUCATION.**  
**§18-2-9.            Required            courses            of            instruction.**

1            (a) (1) 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 the  
 3 history of the State of West Virginia. The schools shall require regular courses of instruction by the  
 4 completion of the 12th grade in the history of the United States, in civics, in the Constitution of the  
 5 United States, and in the government of the State of West Virginia for the purpose of teaching,  
 6 fostering, and perpetuating the ideals, principles, and spirit of political and economic democracy in  
 7 America, and increasing the knowledge of the organization and machinery of the government of  
 8 the United States and of the State of West Virginia. The required courses shall include instruction  
 9 on the institutions and structure of American government, such as the separation of powers, the  
 10 Electoral College, and federalism. The required courses shall include instruction that provides  
 11 students an understanding of American political philosophy and history, utilizing writings from  
 12 prominent figures in Western civilization, such as Aristotle, Thomas Hobbes, John Locke, and  
 13 Thomas Jefferson. The courses of instruction shall offer an objective and critical analysis of  
 14 ideologies throughout history including, but not limited to, capitalism, republicanism, democracy,  
 15 socialism, communism, and fascism. The required courses shall emphasize the use of primary  
 16 sources and interactive learning techniques, such as mock scenarios, debates, and open and  
 17 impartial discussions.

18            (2) The state board shall, with the advice of the state superintendent, and after consultation  
 19 with other entities, prescribe the courses of study, including the basic course requirements for

20 middle school and high school, and the academic standards listed in subdivision (1) of this  
21 subsection for these courses of study covering these subjects for the public schools, and publish  
22 an approved list of instructional resources pursuant to §18-2A-1 *et seq.* of this code. The  
23 curriculum used in the delivery of instruction shall cover the standards adopted for such courses.  
24 The other entities for consultation may include such organizations as the Florida Joint Center for  
25 Citizenship, the College Board, the Bill of Rights Institute, Hillsdale College, the Gilder Lehrman  
26 Institute of American History, the Constitutional Sources Project, educators, school administrators,  
27 postsecondary education representatives, elected officials, business and industry leaders,  
28 parents, and the public. Officials or boards having authority over the respective private, parochial,  
29 and denominational schools shall prescribe courses of study for the schools under their control  
30 and supervision similar to those required for the public schools.

31 (3) The state board shall provide testing or assessment instruments for the history and  
32 civics courses of instruction required by this section. These testing instruments shall:

33 (A) Be aligned with the academic standards required by this section;

34 (B) Be mandatory for students enrolled in those courses of instruction;

35 (C) Be cumulative by including questions about knowledge learned in prior history and  
36 civics courses; and

37 (D) Measure students' factual and conceptual knowledge including how the facts  
38 interrelate and the reasons behind historical documents and events.

39 (4) To further this study, every high school student eligible by age for voter registration shall  
40 be afforded the opportunity to register to vote pursuant to §3-2-22 of this code.

41 (b) The state board shall cause to be taught in all public schools of this state the subject of  
42 health education, including instruction in any of the grades six through 12 as considered  
43 appropriate by the county board, on: (1) The prevention, transmission, and spread of acquired  
44 immune deficiency syndrome and other sexually transmitted diseases; (2) substance abuse,  
45 including the nature of alcoholic drinks and narcotics, tobacco products, and other potentially

46 harmful drugs, with special instruction as to their effect upon the human system and upon society  
47 in general; (3) the importance of healthy eating and physical activity in maintaining healthy weight;  
48 and (4) education concerning cardiopulmonary resuscitation and first aid, including instruction in  
49 the care for conscious choking, and recognition of symptoms of drug or alcohol overdose. The  
50 course curriculum requirements and materials for the instruction shall be adopted by the state  
51 board by rule in consultation with the Department of Health and Human Resources. The state  
52 board shall prescribe a standardized health education assessment to be administered within  
53 health education classes to measure student health knowledge and program effectiveness.

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

59 (d) After July 1, 2015, the required instruction in cardiopulmonary resuscitation in  
60 subsection (b) of this section shall include at least 30 minutes of instruction for each student prior  
61 to graduation on the proper administration of cardiopulmonary resuscitation (CPR) and the  
62 psychomotor skills necessary to perform cardiopulmonary resuscitation. The term "psychomotor  
63 skills" means the use of hands-on practicing to support cognitive learning. Cognitive-only training  
64 does not qualify as "psychomotor skills". The CPR instruction shall be based on an instructional  
65 program established by the American Heart Association or the American Red Cross, or another  
66 program which is nationally recognized and uses the most current national evidence-based  
67 emergency cardiovascular care guidelines and incorporates psychomotor skills development into  
68 the instruction. A licensed teacher is not required to be a certified trainer of cardiopulmonary  
69 resuscitation to facilitate, provide, or oversee such instruction. The instruction may be given by  
70 community members, such as emergency medical technicians, paramedics, police officers,  
71 firefighters, licensed nurses, and representatives of the American Heart Association or the

72 American Red Cross. These community members are encouraged to provide necessary training  
73 and instructional resources such as cardiopulmonary resuscitation kits and other material at no  
74 cost to the schools. The requirements of this subsection are minimum requirements. A local school  
75 district may offer CPR instruction for longer periods of time and may enhance the curriculum and  
76 training components, including, but not limited to, incorporating into the instruction the use of an  
77 automated external defibrillator (AED): *Provided*, That any instruction that results in a certification  
78 being earned shall be taught by an authorized CPR/AED instructor.

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

83 Beginning at the start of the 2024-2025 school year, Celebrate Freedom Week shall  
84 include appropriate instruction in each social studies class which:

85 (1) Includes an in-depth study of the intent, meaning, and importance of the Declaration of  
86 Independence, the Emancipation Proclamation, and the entirety of the Constitution of the United  
87 States with an emphasis on the amendments that are crucial to the survival of democracy and  
88 freedom, such as the Bill of Rights and the thirteenth, fourteenth, fifteenth, ~~and~~ nineteenth  
89 amendments, The Federalist Papers, and Martin Luther King Jr.'s Letters from Birmingham Jail;

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

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

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

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

NOTE: The purpose of this bill is to add as required material in public schools the teaching of the full Constitution of the United States, The Federalist Papers, and Martin Luther King Jr.'s Letters from Birmingham Jail.

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