

WEST VIRGINIA LEGISLATURE
EIGHTY-SECOND LEGISLATURE
REGULAR SESSION, 2015

SB 7



ENROLLED

COMMITTEE SUBSTITUTE
FOR

OFFICE WEST VIRGINIA
SECRETARY OF STATE

2015 FEB 24 P 5:09

FILED

Senate Bill No. 7

(SENATORS STOLLINGS, BOLEY, FERNS, GAUNCH, D. HALL, M. HALL
WALTERS, BLAIR, PLYMALE, UNGER, KIRKENDOLL, KESSLER, FACEMIR
COLE (MR. PRESIDENT), TAKUBO AND WILLIAMS, *ORIGINAL SPONSORS*)

[PASSED FEBRUARY 12, 2015; TO TAKE EFFECT JULY 1, 2015.]

FILED

2015 FEB 24 P 5:09

ENROLLED

COMMITTEE SUBSTITUTE

OFFICE WEST VIRGINIA
SECRETARY OF STATE

FOR

Senate Bill No. 7

(Senators Stollings, Boley, Ferns, Gaunch, D. Hall, M. Hall, Walters, Blair, Plymale, Unger, Kirkendoll, Kessler, Facemire, Cole (Mr. President), Takubo and Williams, *original sponsors*)

[Passed February 12, 2015; to take effect July 1, 2015]

AN ACT to amend and reenact §18-2-9 of the Code of West Virginia, 1931, as amended, relating to required instruction in cardiopulmonary resuscitation (CPR) and first aid in public school health education subjects; adding care for conscious choking first aid instruction; adding requirement for recognition of symptoms of drug and alcohol overdose in health curriculum; eliminating misdemeanor crime and penalties for violation of section; requiring minimum of thirty minutes instruction prior to graduation in cardiopulmonary resuscitation and psychomotor skills necessary to perform after certain date; defining "psychomotor skills"; requiring CPR instruction be based on program established by American Heart Association or American Red Cross or other recognized guidelines; authorizing various persons and community members by whom instruction may be given; encouraging such community members to provide training and instructional resources; authorizing school districts to exceed minimum requirements; and requiring authorized CPR/automated external defibrillator

instructor for instruction that results in certification being earned.

Be it enacted by the Legislature of West Virginia:

That §18-2-9 of the Code of West Virginia, 1931, as amended, be amended and reenacted 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
2 schools located within this state there shall be given prior to
3 the completion of the eighth grade at least one year of
4 instruction in the history of the State of West Virginia. The
5 schools shall require regular courses of instruction by the
6 completion of the twelfth grade in the history of the United
7 States, in civics, in the Constitution of the United States and
8 in the government of the State of West Virginia for the
9 purpose of teaching, fostering and perpetuating the ideals,
10 principles and spirit of political and economic democracy in
11 America and increasing the knowledge of the organization
12 and machinery of the government of the United States and of
13 the State of West Virginia. The state board shall, with the
14 advice of the state superintendent, prescribe the courses of
15 study covering these subjects for the public schools. It shall
16 be the duty of the officials or boards having authority over
17 the respective private, parochial and denominational schools
18 to prescribe courses of study for the schools under their
19 control and supervision similar to those required for the
20 public schools. To further such study, every high school
21 student eligible by age for voter registration shall be afforded
22 the opportunity to register to vote pursuant to section twenty-
23 two, article two, chapter three of this code.

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

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

54 (d) After July 1, 2015, the required instruction in
55 cardiopulmonary resuscitation in subsection (b) of this
56 section shall include at least thirty minutes of instruction for
57 each student prior to graduation on the proper administration

58 of cardiopulmonary resuscitation (CPR) and the psychomotor
59 skills necessary to perform cardiopulmonary resuscitation.
60 The term “psychomotor skills” means the use of hands-on
61 practicing to support cognitive learning. Cognitive-only
62 training does not qualify as “psychomotor skills”. The CPR
63 instruction must be based on an instructional program
64 established by the American Heart Association or the
65 American Red Cross or another program which is nationally
66 recognized and uses the most current national
67 evidence-based Emergency Cardiovascular Care guidelines
68 and incorporates psychomotor skills development into the
69 instruction. A licensed teacher is not required to be a certified
70 trainer of cardiopulmonary resuscitation to facilitate, provide
71 or oversee such instruction. The instruction may be given by
72 community members, such as emergency medical
73 technicians, paramedics, police officers, firefighters, licensed
74 nurses and representatives of the American Heart Association
75 or the American Red Cross. These community members are
76 encouraged to provide necessary training and instructional
77 resources such as cardiopulmonary resuscitation kits and
78 other material at no cost to the schools. The requirements of
79 this subsection are minimum requirements. A local school
80 district may offer CPR instruction for longer periods of time
81 and may enhance the curriculum and training components,
82 including, but not limited to, incorporating into the
83 instruction the use of an automated external defibrillator
84 (AED): *Provided*, That any instruction that results in a
85 certification being earned must be taught by an authorized
86 CPR/AED instructor.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Mark R. Raymond
.....
Chairman Senate Committee

Steve Westfall
.....
Vice Chairman House Committee

Originated in the Senate.

To take effect July 1, 2015.

Mark A. Barnett
.....
Clerk of the Senate

Stephane D. Amadio
.....
Clerk of the House of Delegates

William P. H. ...
.....
President of the Senate

... ..
.....
Speaker of the House of Delegates

The within *was approved* this the *24th*
Day of *January*, 2015.

Carl Roy Tomblin
.....
Governor

PRESENTED TO THE GOVERNOR

FEB 19 2015

Time 10:22 AM