

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Committee Substitute

for

Senate Bill 216

BY SENATORS WOODRUM AND RUCKER

[Originating in the Committee on Education; reported
on February 06, 2023]

1 A BILL to amend and reenact §18-2-9 of the Code of West Virginia, 1931, as amended, relating
2 to requiring all schools to instruct students on the Holocaust, other genocides, and
3 financial literacy.

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

18 (2) The state board shall, with the advice of the state superintendent, and after
19 consultation with other entities, prescribe the courses of study, including the basic course
20 requirements for middle school and high school, and the academic standards listed in subdivision

21 (1) of this subsection for these courses of study covering these subjects for the public schools,
22 and publish an approved list of instructional resources pursuant to §18-2A-1 *et seq.* of this code.
23 The curriculum used in the delivery of instruction shall cover the standards adopted for ~~such~~ these
24 courses. The other entities for consultation may include such organizations as the Florida Joint
25 Center for Citizenship, the College Board, the Bill of Rights Institute, Hillsdale College, the Gilder
26 Lehrman Institute of American History, the Constitutional Sources Project, educators, school
27 administrators, postsecondary education representatives, elected officials, business and industry
28 leaders, parents, and the public. Officials or boards having authority over the respective private,
29 parochial, and denominational schools shall prescribe courses of study for the schools under their
30 control 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
40 shall 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
42 of 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 (CPR) and first aid, including
49 instruction in the care for conscious choking, and recognition of symptoms of drug or alcohol
50 overdose. The course curriculum requirements and materials for the instruction shall be adopted
51 by the state board by rule in consultation with the Department of Health and Human Resources.
52 The state board shall prescribe a standardized health education assessment to be administered
53 within 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
55 instruction in the prevention, transmission, and spread of acquired immune deficiency syndrome
56 and other sexually transmitted diseases to examine the course curriculum requirements and
57 materials to be used in the instruction. The parent or guardian may exempt the child from
58 participation in the 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~~ CPR 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~~ CPR. The term
63 "psychomotor skills" means the use of hands-on practicing to support cognitive learning.
64 Cognitive-only training does not qualify as "psychomotor skills". The CPR instruction shall be
65 based on an instructional program established by the American Heart Association or the American
66 Red Cross, or another program which is nationally recognized and uses the most current national
67 evidence-based emergency cardiovascular care guidelines and incorporates psychomotor skills
68 development into the instruction. A licensed teacher is not required to be a certified trainer of
69 ~~cardiopulmonary resuscitation~~ CPR to facilitate, provide, or oversee ~~such~~ that instruction. The
70 instruction may be given by community members, such as emergency medical technicians,
71 paramedics, police officers, firefighters, licensed nurses, and representatives of the American
72 Heart Association or the American Red Cross. These community members are encouraged to

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

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

84 Celebrate Freedom Week shall include appropriate instruction in each social studies class
85 which:

86 (1) Includes an in-depth study of the intent, meaning, and importance of the Declaration
87 of Independence, the Emancipation Proclamation, and the Constitution of the United States with
88 an emphasis on the amendments that are crucial to the survival of democracy and freedom, such
89 as the Bill of Rights and the thirteenth, fourteenth, fifteenth, and nineteenth amendments;

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
100 the United States Citizenship and Immigration Services between their ninth and 12th grade years
101 as 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
103 and reported to the board members. Nothing in this subsection creates a standard or requirement
104 subject to state accountability measures.

105 (g) All public schools located within this state shall give instruction on the Holocaust and
106 other genocides by the completion of the 12th grade in order to teach students knowledge of the
107 Holocaust and other genocides, identify relevant global actors in historical genocides, inform
108 students of social and political contextual factors that influence genocides, describe the outcomes
109 of genocides; familiarize students with, as applicable, the history, context, and explanation of the
110 Holocaust and other genocides, and the influence of the Holocaust and other genocides on law,
111 history, government, migration, religion, literature, art, music, customs, morals, values, and
112 culture.

113 (h) Notwithstanding any provision of this code to the contrary, all public schools located
114 within this state shall give instruction on financial literacy by the completion of the 12th grade.