

WEST VIRGINIA LEGISLATURE

2026 REGULAR SESSION

Introduced

House Bill 4104

By Delegate Coop-Gonzalez

[Introduced January 14, 2026; referred to the
Committee on Education]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,
 2 designated §18-36-1, §18-36-2, §18-36-3, and §18-36-4, relating to establishing the
 3 American Civics and History Act; providing for a title and purpose; creating required
 4 instruction; providing for accuracy and suitable course materials; and creating
 5 accountability materials.

Be it enacted by the Legislature of West Virginia:

ARTICLE 36. AMERICAN CIVICS AND HISTORY ACT.

§18-36-1. Title and purpose.

1 (a) This article may be known and shall be cited as "The American Civics and History Act".
 2 (b) The purpose of this legislation is to teach, foster, and perpetuate the ideals, principles,
 3 and spirit of democracy and economic freedom in America, and to increase students' knowledge
 4 and appreciation of the organization and machinery of the government of the United States and
 5 the State of West Virginia in protecting people against tyranny through the separation of political
 6 powers with checks and balances among the branches of government.

§18-36-2. Required Instruction.

1 (a) In all public schools located within this state there shall be given prior to the completion
 2 of the eighth grade, and again in high school prior to the completion of the twelfth grade, at least
 3 one semester of instruction in the history of the United States, one semester of instruction in the
 4 governments of the United States and the State of West Virginia, and one semester of instruction
 5 in American civics.
 6 (b) The required courses described in this section shall collectively:
 7 (1) Include instruction on the institutions and structure of American government, including
 8 but not limited to the separation of powers, the Electoral College, and federalism;
 9 (2) Include instruction that provides students an understanding of American political
 10 philosophy and history consistent with their grade level;
 11 (3) Offer a comparative and objective analysis of ideologies throughout American and

world history, including but not limited to capitalism, republicanism, democracy, socialism, communism, totalitarianism, and fascism. This analysis shall utilize examples of political freedoms and economic development under such ideologies and include historical first-person oral accounts relating to each; and

(4) Emphasize the use of primary sources and interactive learning techniques, such as mock scenarios, debates, and open and impartial discussions. Primary sources for high school courses shall include, but are not limited to, the Declaration of Independence, the Emancipation Proclamation, the Federalist Papers, and the Constitution of the United States, with a particular emphasis on the Bill of Rights. Middle school courses are also encouraged to utilize the primary sources described in this subsection to the extent practical.

(c) The West Virginia State Board of Education shall, with the advice of the West Virginia Department of Education, prescribe the courses of study, the basic course requirements for middle school and high school, and the academic standards for the required courses described in this section.

(d) Public school teachers who choose to discuss current events or widely debated and currently controversial issues of public policy or social affairs in a classroom environment shall strive to explore such issues from diverse and competing perspectives, giving fair and equal deference to each.

(e) No public institution shall direct or otherwise compel students or teachers to personally affirm, adopt, or adhere to any belief relating to currently controversial issues of public policy and social affairs.

(f) This section shall not be interpreted as prohibiting the instruction or discussion of currently controversial issues of public policy or social affairs in the public schools of this state.

(g) The instruction required in this section shall supplement, not supplant, existing State requirements described in this code.

§18-36-3. Accuracy and Suitability of Instructional Materials.

1 (a) All instructional materials for the required instruction in Section 2 of this Act shall be
2 reviewed and approved prior to first use, and at least once every four years afterward, by the West
3 Virginia Department of Education in consultation with educators, elected officials, parents with at
4 least one child currently enrolled in a public school, and others in the State, regarding the accuracy
5 and suitability of the materials.

6 (b) All plain errors and inaccuracies in these materials shall be corrected or identified in
7 errata statements before any material containing an error may be provided to students. This
8 section does not include subjective matters of interpretation on which reasonable social science
9 professionals disagree.

10 (c) The West Virginia Department of Education shall maintain a publicly accessible list or
11 database of materials that have been approved for instruction in social science by the West
12 Virginia Department of Education, including any errata statements.

§18-36-4. Accountability Measures.

1 (a) Beginning with the 2026/2027 school year, students taking a social science course in
2 the public high schools of this state shall be administered a multiple-choice test with at least 20
3 questions that are the same as or substantially similar to the questions posed in the 2020 version
4 of the civics test used by the United States Citizenship and Immigration Services (USCIS) as an
5 indicator of knowledge and understanding in the area of American civics. Such testing shall be
6 developed and distributed each year by the West Virginia Department of Education for statewide
7 consistency.

8 (b) Each public school district shall report the following aggregate data to the West Virginia
9 Department of Education, organized by grade level, related to the civics test administered
10 pursuant to this subsection:

11 (1) The median score;

12 (2) The percentage of students who passed with at least 60% correct;

- 13 (3) The percentage of students who failed with less than 60% correct; and
14 (4) Such other data as may be required by the West Virginia Department of Education
15 which is relevant to the civics test administered under this Act.
- 16 (c) No data reported to the state in subsection (b) of this section shall contain the
17 personally identifiable information of any student.
- 18 (d) The West Virginia Department of Education shall make publicly available and easily
19 accessible on its website a "Civic Education Scorecard" that provides the data required in
20 subsection (b) of this section, organized at a minimum by school district and grade level.

NOTE: The purpose of this bill is to establish the American Civics and History Act.

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