

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **Senate Bill 412**

By Senator Rucker

[Introduced January 15, 202; 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 the required instruction in human growth and development; providing for courses to  
3 include human growth and development related to pregnancy and human development  
4 inside the womb; and requiring methods of presenting this instruction.

*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

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

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

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

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

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

(D) Measure students' factual and conceptual knowledge including how the facts interrelate and the reasons behind historical documents and events.

(4) To further this 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 public schools of this state, including each public charter school, 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 in 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; and

(5) Education concerning human growth and development by means of an oral, written, or digital lesson, lecture, or presentation about human biology related to pregnancy and human development inside the womb. Human growth and development instruction shall occur additionally in grades five and eight. Beginning in the 2028-2029 school year, the course standards, as adopted by the state board by rule pursuant to §29A-3B-1 et seq. of this code, shall include:

(A) A high-definition ultrasound video, at least three minutes in duration, showing the development of the brain, heart, sex organs, and other vital organs in early fetal development; and

(B) The meet baby Olivia video developed by Live Action, or its successor entity, showing the process of fertilization and each stage of human development inside the uterus, noting significant markers in cell growth and organ development for every stage of pregnancy until birth.

(c) 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

72 instruction by giving notice to that effect in writing to the school principal.

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

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

97 Celebrate Freedom Week shall include appropriate instruction in each social studies class

98 which:

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

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

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

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

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

NOTE: The purpose of this bill is to require education concerning human growth and development.

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