

HB 4124

FILED

2008 MAR 13 PM 4: 18

OFFICE OF THE SECRETARY OF STATE
WEST VIRGINIA

WEST VIRGINIA LEGISLATURE
SECOND REGULAR SESSION, 2008

ENROLLED

**COMMITTEE SUBSTITUTE
FOR
House Bill No. 4124**

(By Delegates Staggers, M. Poling, Moye, Perry, Fleischauer,
Hamilton, Paxton, Long, Campbell and Crosier)

Passed March 5, 2008

In Effect Ninety Days from Passage

E N R O L L E D

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2008 MAR 13 PM 4: 1

FOR

OFFICE OF THE SECRETARY OF STATE

H. B. 4124

(BY DELEGATES STAGGERS, M. POLING, MOYE,
PERRY, FLEISCHAUER, HAMILTON, PAXTON,
LONG, CANTERBURY, CAMPBELL AND CROSIER)

[Passed March 5, 2008; in effect ninety days from passage.]

AN ACT to amend and reenact §18-2-9 of the Code of West Virginia, 1931, as amended, relating to including education concerning CPR and First Aid in the health education curriculum in any grades six through twelve.

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; violation and penalty.

- 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
23 twenty-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
32 harmful drugs, with special instruction as to their effect upon
33 the 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 CPR and First Aid. The course curriculum requirements and
37 materials for the instruction shall be adopted by the state
38 board by rule in consultation with the Department of Health
39 and Human Resources. The state board shall prescribe a

40 standardized health education assessment to be administered
41 within health education classes to measure student health
42 knowledge and program effectiveness.

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

51 (c) Any person violating the provisions of this section
52 shall be guilty of a misdemeanor and, upon conviction
53 thereof, shall be fined not exceeding ten dollars for each
54 violation, and each week during which there is a violation
55 shall constitute a separate offense. If the person so convicted
56 occupy a position in connection with the public schools, that
57 person shall automatically be removed from that position and
58 shall be ineligible for reappointment to that or a similar
59 position for the period of one year.

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



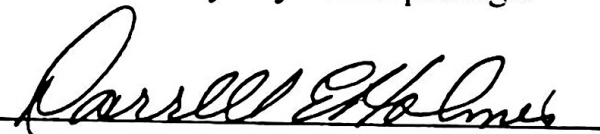
Chairman Senate Committee



Chairman House Committee

Originating in the House.

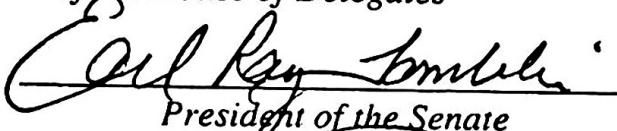
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Clerk of the Senate



Clerk of the House of Delegates

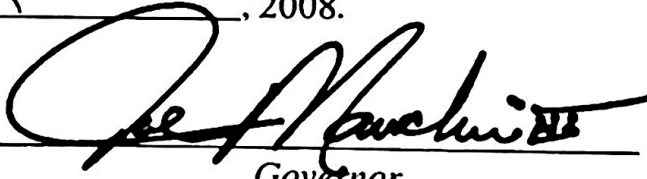


President of the Senate



Speaker of the House of Delegates

The within is approved this the 13th
day of March, 2008.



Governor

PRESENTED TO THE
GOVERNOR

MAR 10 2008

Time 4:30 pm