# WEST VIRGINIA CODE CHAPTER 18 ARTICLE 34

WV Legislature

## §18-34-1. Laken's Law.

(a) The Fentanyl Prevention and Awareness Education Act or “Laken’s Law” would help prevent overdose deaths in teens and young adults due to fentanyl and fentanyl components. This shall be accomplished through education of students in grades 6-12 in all public schools and be mandated annually using the following methods:

(1) Students will be taught about fentanyl, heroin, and opioids awareness, prevention, and abuse;

(2) Students will be instructed in the life-saving use of FDA-approved opioid reversal agents;

(3) Students will be instructed on the prevention of the abuse of and addiction to fentanyl;

(4) Students will be instructed on available state and community resources and organizations that work to prevent and reduce youth substance use; and

(5) Students will receive health education covering the issues of substance abuse and youth substance abuse in particular.

(b) This mandatory instruction will begin in the 2024-2025 school year.

WV Legislature

**§18-34-2. Policy enacted.**

(a) A student's absence due to a student's pregnancy or parenting needs is an excused absence as provided under this section and for purposed of §18-8-4(a)(1) of this code.

(b) The State Board of Education shall develop a written attendance policy for pregnant and parenting students that, at a minimum, meets the requirements of this article. The policy developed under this section shall:

(1) Excuse all absences due to pregnancy or parenting-related conditions, including absences for:

(A) Labor;

(B) Delivery;

(C) Recovery; and

(D) Prenatal and postnatal medical appointments;

(2) Provide at least 8 weeks of excused absences for a mother for the birth of the student's child, including both natural/vaginal delivery and c-section delivery;

(3) Provide excused absences for antenatal care by recommendation of the medical provider;

(4) Provide two weeks excused absence for the father of the child;

(A) A doctor's or medical excuse shall be provided up to the initial 8 weeks' absence and a separate excuse for each period of absence after the initial 8 weeks.

(B) County boards shall make reasonable efforts to encourage the parent to remain on track for graduation by providing academic support options including, but not limited to, work provided virtually and a homebound instructor for weekly visits to ensure accountability.

(5) Provide an excused absence for parenting students whose children are sick: *Provided*, That they shall provide a doctor's excuse for that child.

(6) The schools shall refer the pregnant and parenting student to a "pregnancy help organization" by providing a list of pregnancy or postpartum assistance organizations within the county and surrounding counties as defined under §16-66-1 of this code.

WV Legislature

**§18-34-3. Effective date.**

This article shall become effective on July 1, 2024.

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