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
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.

(a) In all public, private, parochial and denominational schools located within this state, there shall be given prior to the completion of the eighth grade at least one year of instruction in the history of the State of West Virginia. The
schools shall require regular courses of instruction by the
completion of the twelfth grade in the history of the United
States, in civics, in the Constitution of the United States, and
in the government of the State of West Virginia for the
purpose of teaching, fostering and perpetuating the ideals,
principles and spirit of political and economic democracy in
America and increasing the knowledge of the organization
and machinery of the government of the United States and of
the State of West Virginia. The state board shall, with the
advice of the state superintendent, prescribe the courses of
study covering these subjects for the public schools. It shall
be the duty of the officials or boards having authority over
the respective private, parochial and denominational schools
to prescribe courses of study for the schools under their
control and supervision similar to those required for the
public schools. To further such study, every high school
student eligible by age for voter registration shall be afforded
the opportunity to register to vote pursuant to section
twenty-two, article two, chapter three of this code.

(b) The state board shall cause to be taught in all of the
public schools of this state the subject of health education,
including instruction in any of the grades six through twelve
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 to
maintaining healthy weight; and (4) education concerning
CPR and First Aid. 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.

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

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

In effect ninety days from passage.

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