

ASSEMBLY BILL

No. 319

Introduced by Assembly Member Rodriguez
(Coauthors: Assembly Members Cooley, Maienschein, McCarty,
Waldron, and Wood)
(Coauthor: Senator Anderson)

February 13, 2015

An act to amend Sections 49413 and 51202 of, and to add Section 51225.6 to, the Education Code, relating to pupil instruction.

LEGISLATIVE COUNSEL'S DIGEST

AB 319, as introduced, Rodriguez. Pupil instruction: cardiopulmonary resuscitation.

Existing law authorizes a school district or school to provide a comprehensive program in first aid or cardiopulmonary resuscitation training, or both, to pupils and employees in accordance with specified guidelines.

This bill would instead require a school district or school to provide a comprehensive program in first aid and cardiopulmonary resuscitation training to pupils and employees in accordance with specified guidelines, thereby imposing a state-mandated local program.

Existing law establishes a list of courses that a pupil in a school district is required to complete in grades 9 to 12, inclusive, in order to receive a diploma of graduation from high school, including 2 courses in physical education unless exempted.

This bill would require the governing board of a school district, and the governing body of a charter school, offering instruction to pupils in grades 9 to 12, inclusive, to provide instruction on performing cardiopulmonary resuscitation and the use of an automated external

defibrillator as part of a physical education course or another course required for graduation, as provided. The bill would also make conforming changes to a related code section. By imposing additional requirements on school districts and charter schools, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 49413 of the Education Code is amended
 2 to read:
 3 49413. (a) ~~(1) The Legislature recognizes the importance of~~
 4 ~~first aid and cardiopulmonary resuscitation training. In enacting~~
 5 ~~this section, it is the intent of the Legislature to encourage school~~
 6 ~~districts and schools, individually or jointly, to develop a program~~
 7 ~~whereby their staff and pupils understand the importance of this~~
 8 ~~training and have an appropriate opportunity to develop these~~
 9 ~~skills. finds and declares all of the following:~~
 10 (A) *Sudden cardiac arrest is the leading cause of death in the*
 11 *United States.*
 12 (B) *Less than 8 percent of people who suffer cardiac arrest*
 13 *outside the hospital survive.*
 14 (C) *Effective bystander cardiopulmonary resuscitation (CPR)*
 15 *provided immediately after sudden cardiac arrest can double or*
 16 *triple a victim’s chance of survival, but only 32 percent of cardiac*
 17 *arrest victims get CPR from a bystander.*
 18 (2) *In enacting this section, it is the intent of the Legislature to*
 19 *save lives by giving high school pupils the opportunity to develop*
 20 *psychomotor CPR skills.*
 21 (b) A school district or school, individually or jointly with
 22 another school district or school, ~~may~~ *shall* provide a
 23 comprehensive program in first aid ~~or cardiopulmonary~~

1 ~~resuscitation (CPR) training, or both,~~ and CPR training to pupils
2 and employees. The program shall be developed using the
3 following guidelines:

4 (1) The school district or school collaborates with existing local
5 resources, including, but not limited to, parent teacher associations,
6 hospitals, school nurses, fire departments, and other local agencies
7 that promote safety, to make first aid ~~or CPR training, or both,~~ and
8 CPR training available to the pupils and employees of the school
9 district or school.

10 (2) Each school district that develops a program, or the school
11 district that has jurisdiction over a school that develops a program,
12 compiles a list of resources for ~~first aid or~~ CPR information, to be
13 distributed to all of the schools in the district.

14 (3) The first aid and CPR training are based on standards that
15 are at least equivalent to the standards currently used by the
16 American Red Cross or the American Heart Association.

17 SEC. 2. Section 51202 of the Education Code is amended to
18 read:

19 51202. The adopted course of study shall provide instruction
20 at the appropriate elementary and secondary grade levels and
21 subject areas in personal and public safety and accident prevention,
22 including emergency first aid instruction, instruction in hemorrhage
23 control, treatment for poisoning, resuscitation techniques, and
24 cardiopulmonary resuscitation when appropriate equipment is
25 ~~available;~~ *available or when required pursuant to Section 51225.6;*
26 fire prevention; the protection and conservation of resources,
27 including the necessity for the protection of our environment; and
28 health, including venereal disease and the effects of alcohol,
29 narcotics, drugs, and tobacco upon the human body. The health
30 instruction may include prenatal care for pregnant women and
31 violence as a public health issue.

32 SEC. 3. Section 51225.6 is added to the Education Code, to
33 read:

34 51225.6. (a) The governing board of a school district, and the
35 governing body of a charter school, offering instruction to pupils
36 in grades 9 to 12, inclusive, shall provide instruction in performing
37 cardiopulmonary resuscitation (CPR) and the use of an automated
38 external defibrillator (AED) as part of a physical education course
39 or another course required for graduation. This instruction shall
40 include all of the following:

1 (1) An instructional program developed by the American Heart
2 Association or the American Red Cross, or an instructional program
3 that is nationally recognized and based on the most current national
4 evidence-based emergency cardiovascular care guidelines for the
5 performance of CPR and the use of an AED.

6 (2) Training for pupils relative to the psychomotor skills
7 necessary to perform CPR. For purposes of this paragraph,
8 “psychomotor skills” means skills that pupils are required to
9 perform as hands-on practice to support cognitive learning. Pupils
10 receiving online instruction to satisfy the requirements of this
11 section shall not be required to perform hands-on practice.

12 (3) General information on the use and importance of an AED.
13 The physical presence of an AED in the classroom is not required.

14 (b) Except as specified in subparagraph (B) of paragraph (5),
15 instruction required pursuant to this section may be provided by
16 a person who is certified in CPR and who is any of the following:

17 (1) A health care provider licensed pursuant to Division 2
18 (commencing with Section 500) of the Business and Professions
19 Code, the Osteopathic Initiative Act, as set forth in Chapter 8
20 (commencing with Section 3600) of Division 2 of the Business
21 and Professions Code, or the Chiropractic Initiative Act, as set
22 forth in Chapter 2 (commencing with Section 1000) of Division
23 2 of the Business and Professions Code.

24 (2) A person certified pursuant to the Emergency Medical
25 Services System and the Prehospital Emergency Medical Care
26 Personnel Act (Division 2.5 (commencing with Section 1797) of
27 the Health and Safety Code).

28 (3) A peace officer, as defined in Section 830 of the Penal Code.

29 (4) A firefighter, defined as any regularly employed and paid
30 officer, employee, or member of a fire department or fire protection
31 or firefighting agency of the State of California, a city, a county,
32 a city and county, a district, or other public or municipal
33 corporation or political subdivision of this state or member of an
34 emergency reserve unit of a volunteer fire department or fire
35 protection district.

36 (5) (A) A teacher.

37 (B) A teacher shall not be required to be certified in CPR to
38 facilitate, provide, or oversee instruction pursuant to this section
39 for training that does not provide CPR certification.

1 (c) If it is in accordance with the laws, rules, or regulations
2 governing his or her profession, a person who provides instruction
3 pursuant to subdivision (b) may apply the hours spent performing
4 instruction toward fulfilling professional requirements for
5 performing community service.

6 (d) The governing board of a school district or the governing
7 body of a charter school may adopt regulations to implement this
8 section.

9 SEC. 4. If the Commission on State Mandates determines that
10 this act contains costs mandated by the state, reimbursement to
11 local agencies and school districts for those costs shall be made
12 pursuant to Part 7 (commencing with Section 17500) of Division
13 4 of Title 2 of the Government Code.

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