

AMENDED IN ASSEMBLY APRIL 30, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 319**

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**Introduced by Assembly Member Rodriguez**  
**(Coauthors: Assembly Members Cooley, Cooper, Cristina Garcia,**  
**Maienschein, Mayes, McCarty, O'Donnell, Waldron, and Wood)**  
~~(Coauthor: Senator Anderson)~~*(Coauthors: Senators Anderson and*  
*Stone)*

February 13, 2015

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

LEGISLATIVE COUNSEL'S DIGEST

AB 319, as amended, 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~~ *require, commencing with the 2017–18 academic year*, 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 finds and declares all of the~~
- 4     ~~following:~~
- 5     ~~(A) Sudden cardiac arrest is the leading cause of death in the~~
- 6     ~~United States.~~
- 7     ~~(B) Less than 8 percent of people who suffer cardiac arrest~~
- 8     ~~outside the hospital survive.~~
- 9     ~~(C) Effective bystander cardiopulmonary resuscitation (CPR)~~
- 10    ~~provided immediately after sudden cardiac arrest can double or~~
- 11    ~~triple a victim’s chance of survival, but only 32 percent of cardiac~~
- 12    ~~arrest victims get CPR from a bystander.~~
- 13    ~~(2) In enacting this section, it is the intent of the Legislature to~~
- 14    ~~save lives by giving high school pupils the opportunity to develop~~
- 15    ~~psychomotor CPR skills.~~
- 16    ~~(b) A school district or school, individually or jointly with~~
- 17    ~~another school district or school, shall provide a comprehensive~~
- 18    ~~program in first aid and CPR training to pupils and employees.~~
- 19    ~~The program shall be developed using the following guidelines:~~

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

6 ~~(2) Each school district that develops a program, or the school~~  
7 ~~district that has jurisdiction over a school that develops a program,~~  
8 ~~compiles a list of resources for CPR information, to be distributed~~  
9 ~~to all of the schools in the district.~~

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

13 ~~SEC. 2.~~

14 *SECTION 1.* Section 51202 of the Education Code is amended  
15 to read:

16 51202. The adopted course of study shall provide instruction  
17 at the appropriate elementary and secondary grade levels and  
18 subject areas in personal and public safety and accident prevention,  
19 including emergency first aid instruction, instruction in hemorrhage  
20 control, treatment for poisoning, resuscitation techniques, and  
21 cardiopulmonary resuscitation when appropriate equipment is  
22 available or when required pursuant to Section 51225.6; fire  
23 prevention; the protection and conservation of resources, including  
24 the necessity for the protection of our environment; and health,  
25 including venereal disease and the effects of alcohol, narcotics,  
26 drugs, and tobacco upon the human body. The health instruction  
27 may include prenatal care for pregnant women and violence as a  
28 public health issue.

29 ~~SEC. 3.~~

30 *SEC. 2.* Section 51225.6 is added to the Education Code, to  
31 read:

32 51225.6. (a) ~~The Commencing with the 2017–18 academic~~  
33 ~~year, the governing board of a school district, and the governing~~  
34 ~~body of a charter school, offering instruction to pupils in grades~~  
35 ~~9 to 12, inclusive, shall provide instruction in performing~~  
36 ~~cardiopulmonary resuscitation (CPR) and the use of an automated~~  
37 ~~external defibrillator (AED) as part of a physical education course~~  
38 ~~or another course required for graduation. graduation pursuant to~~  
39 ~~paragraph (1) of subdivision (a) Section 51225.3, or a course~~  
40 ~~required by the local governing board of a school district for~~

1 graduation pursuant to paragraph (2) of subdivision (a) Section  
2 51225.3. This instruction shall include all of the following:

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

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

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

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

19 (1) A health care provider licensed pursuant to Division 2  
20 (commencing with Section 500) of the Business and Professions  
21 Code, the Osteopathic Initiative Act, as set forth in Chapter 8  
22 (commencing with Section 3600) of Division 2 of the Business  
23 and Professions Code, or the Chiropractic Initiative Act, as set  
24 forth in Chapter 2 (commencing with Section 1000) of Division  
25 2 of the Business and Professions Code.

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

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

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

38 (5) (A) A teacher.

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

4 (6) *An instructor certified to teach CPR by the American Red*  
5 *Cross or the American Heart Association, or an instructor certified*  
6 *to teach an instructional program that is nationally recognized*  
7 *and based on the most current national evidence-based emergency*  
8 *cardiovascular care guidelines for the performance of CPR and*  
9 *the use of an AED.*

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

15 (d) The governing board of a school district or the governing  
16 body of a charter school may adopt regulations to implement this  
17 section.

18 ~~SEC. 4.~~

19 *SEC. 3.* If the Commission on State Mandates determines that  
20 this act contains costs mandated by the state, reimbursement to  
21 local agencies and school districts for those costs shall be made  
22 pursuant to Part 7 (commencing with Section 17500) of Division  
23 4 of Title 2 of the Government Code.