ASSEMBLY BILL  
No. 1719

Introduced by Assembly Member Rodriguez  
(Coauthors: Assembly Members Cooley, O'Donnell, and Waldron)  
(Coauthor: Senator Anderson)

January 27, 2016

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

LEGISLATIVE COUNSEL’S DIGEST

AB 1719, 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. 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.

This bill would 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 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.


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

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

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

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

51225.6. (a) 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, shall provide instruction in performing cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator (AED) as part of a course required for graduation pursuant to paragraph (1) of subdivision (a) Section 51225.3 or a course required by the local governing board of a school district for graduation pursuant to paragraph (2) of subdivision (a) Section 51225.3. This instruction shall include all of the following:
(1) An instructional program developed by the American Heart Association or the American Red Cross, or an instructional program that is nationally recognized and based on the most current national evidence-based emergency cardiovascular care guidelines for the performance of CPR and the use of an AED.

(2) Training for pupils relative to the psychomotor skills necessary to perform CPR. For purposes of this paragraph, “psychomotor skills” means skills that pupils are required to perform as hands-on practice to support cognitive learning.

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

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

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

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

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

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

(5) (A) A teacher.

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

(6) An instructor certified to teach CPR by the American Red Cross or the American Heart Association, or an instructor certified to teach an instructional program that is nationally recognized and
based on the most current national evidence-based emergency
cardiovascular care guidelines for the performance of CPR and
the use of an AED.
(c) If it is in accordance with the laws, rules, or regulations
governing his or her profession, a person who provides instruction
pursuant to subdivision (b) may apply the hours spent performing
instruction toward fulfilling professional requirements for
performing community service.
(d) The governing board of a school district or the governing
body of a charter school may adopt regulations to implement this
section.
(e) (1) The governing board of a school district or the governing
body of a charter school providing instruction in performing CPR
or the use of an AED pursuant to this section is encouraged to use
the most cost-effective means possible to implement that
requirement.
(2) This section shall not be construed to require the governing
board of a school district or the governing body of a charter school
to make any purchases, including, but not limited to, purchasing
an AED.
SEC. 3. If the Commission on State Mandates determines that
this act contains costs mandated by the state, reimbursement to
local agencies and school districts for those costs shall be made
pursuant to Part 7 (commencing with Section 17500) of Division
4 of Title 2 of the Government Code.