

AMENDED IN SENATE JUNE 22, 2016

AMENDED IN ASSEMBLY APRIL 21, 2016

AMENDED IN ASSEMBLY APRIL 11, 2016

AMENDED IN ASSEMBLY MARCH 16, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1719

Introduced by Assembly Member Rodriguez
(Coauthors: Assembly Members Cooley, Kim, Maienschein, Mathis,
Mayes, O'Donnell, Salas, 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 amended, Rodriguez. Pupil instruction: cardiopulmonary resuscitation.

(1) 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 requires the adopted course of study for grades 7 to 12, inclusive, to include courses in specified areas of study.

This bill would require, commencing with the 2018–19 school 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 in performing compression-only cardiopulmonary resuscitation as part of a course required to be offered, as provided. *The*

bill would require this instruction to be provided to a pupil only one time. The bill would encourage those entities to provide to pupils general information on the use and importance of an automated external defibrillator. The bill would require the State Department of Education to provide guidance on how to implement these provisions, including, but not limited to, who may provide instruction. 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.

(2) Existing law provides that no local agency, entity of state or local government, or other public or private organization that sponsors, authorizes, supports, finances, or supervises the training of citizens in cardiopulmonary resuscitation shall be liable for any civil damages alleged to result from such training programs.

Existing law provides that no person who is certified to instruct in cardiopulmonary resuscitation by either the American Heart Association or the American Red Cross shall be liable for any civil damages alleged to result from the acts or omissions of an individual who received instruction on cardiopulmonary resuscitation by that certified instructor.

This bill would provide that a local agency, entity of state or local government, or other public or private organization that sponsors, authorizes, supports, finances, or supervises, and a public employee who provides or facilitates, the instruction of pupils in compression-only cardiopulmonary resuscitation or the use of an automated external defibrillator pursuant to the bill shall not be liable for any civil damages alleged to result from the acts or omissions of an individual who received such ~~instruction~~. *instruction, except as provided.*

(3) 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 51202 of the Education Code is amended
2 to read:

3 51202. The adopted course of study shall provide instruction
4 at the appropriate elementary and secondary grade levels and
5 subject areas in personal and public safety and accident prevention,
6 including emergency first aid instruction, instruction in hemorrhage
7 control, treatment for poisoning, resuscitation techniques, and
8 cardiopulmonary resuscitation when appropriate equipment is
9 available or when instruction is required pursuant to Section
10 51225.6; fire prevention; the protection and conservation of
11 resources, including the necessity for the protection of our
12 environment; and health, including venereal disease and the effects
13 of alcohol, narcotics, drugs, and tobacco upon the human body.
14 The health instruction may include prenatal care for pregnant
15 women and violence as a public health issue.

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

18 51225.6. (a) Commencing with the 2018–19 school year, the
19 governing board of a school district, and the governing body of a
20 charter school, offering instruction to pupils in grades 9 to 12,
21 inclusive, shall provide instruction in performing compression-only
22 cardiopulmonary resuscitation (CPR) as part of a course offered
23 in any of grades 9 to 12, inclusive, that is required pursuant to this
24 ~~article~~ *article or that is required by the governing board of a*
25 *school district pursuant to paragraph (2) of subdivision (a) of*
26 *Section 51225.3. This instruction shall be provided to a pupil only*
27 *one time and shall include both of the following:*

28 (1) An instructional program based on national evidence-based
29 emergency cardiovascular care guidelines for the performance of
30 compression-only CPR, such as those developed by the American
31 Heart Association or the American Red Cross.

32 (2) Instruction to pupils relative to the psychomotor skills
33 necessary to perform compression-only CPR. For purposes of this
34 paragraph, “psychomotor skills” means skills that pupils are
35 required to perform as hands-on practice to support cognitive
36 learning.

37 (b) Before the commencement of the 2017–18 school year, the
38 department shall provide guidance on how to implement this

1 section, including, but not limited to, who may provide instruction
2 pursuant to this section.

3 (c) The governing board of a school district or the governing
4 body of a charter school is encouraged to provide to pupils general
5 information on the use and importance of an automated external
6 defibrillator (AED). The physical presence of an AED in the
7 classroom is not required.

8 (d) The governing board of a school district or the governing
9 body of a charter school may adopt policies to implement this
10 section.

11 (e) (1) The governing board of a school district or the governing
12 body of a charter school providing instruction in performing
13 compression-only CPR or information on the use of an AED
14 pursuant to this section is encouraged to use the most cost-effective
15 means possible to implement that requirement.

16 (2) This section shall not be construed to require the governing
17 board of a school district or the governing body of a charter school
18 to make any purchases, including, but not limited to, purchasing
19 an AED.

20 (f) (1) A local agency, entity of state or local government, or
21 other public or private organization that sponsors, authorizes,
22 supports, finances, or supervises the instruction of pupils in
23 compression-only CPR or the use of an AED pursuant to this
24 section shall not be liable for any civil damages alleged to result
25 from the acts or omissions of an individual who received such
26 instruction.

27 (2) A public employee who provides or facilitates the instruction
28 of pupils in compression-only CPR or the use of an AED pursuant
29 to this section shall not be liable for any civil damages alleged to
30 result from the acts or omissions of an individual who received
31 such instruction.

32 (3) This subdivision shall not be construed to grant immunity
33 from civil damages to any person who provides or facilitates the
34 instruction of pupils in compression-only CPR or the use of an
35 AED in a manner that constitutes gross negligence or willful or
36 wanton misconduct.

37 SEC. 3. If the Commission on State Mandates determines that
38 this act contains costs mandated by the state, reimbursement to
39 local agencies and school districts for those costs shall be made

- 1 pursuant to Part 7 (commencing with Section 17500) of Division
- 2 4 of Title 2 of the Government Code.

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