

AMENDED IN SENATE AUGUST 16, 2016
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, 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. Existing law requires each pupil completing grade 12 to satisfy certain requirements as a condition of receiving a diploma of graduation from high school. These requirements include the completion of designated

coursework in grades 9 to 12, inclusive. Existing law authorizes a governing board of a school district to adopt other coursework requirements.

This bill would require, commencing with the 2018–19 school year, the governing board of a school ~~district, and *district or* the governing body of a charter school, offering instruction to pupils in grades 9 to 12, inclusive;~~ *school that requires a course in health education for graduation from high school to provide* include instruction in performing compression-only cardiopulmonary resuscitation as part of a course required to be offered, *resuscitation*, 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, 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~~-no.

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.~~

17 ~~SECTION 1.~~ Section 51225.6 is added to the Education Code,
18 to read:

19 ~~51225.6. (a) Commencing with the 2018–19 school year, If~~
20 ~~the governing board of a school district, and district or the~~
21 ~~governing body of a charter school, offering instruction to pupils~~
22 ~~in grades 9 to 12, inclusive, shall provide school requires a course~~
23 ~~in health education for graduation from high school, the governing~~
24 ~~board of a school district or the governing body of a charter school~~
25 ~~shall include, commencing with the 2018–19 school year,~~
26 ~~instruction in performing compression-only cardiopulmonary~~
27 ~~resuscitation (CPR) as part of a course offered in any of grades 9~~
28 ~~to 12, inclusive, that is required pursuant to this article or that is~~
29 ~~required by the governing board of a school district pursuant to~~
30 ~~paragraph (2) of subdivision (a) of Section 51225.3. (CPR). This~~

1 ~~instruction shall be provided to a pupil only one time and shall~~
2 include both of the following:

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

7 (2) Instruction to pupils relative to the psychomotor skills
8 necessary to perform compression-only CPR. For purposes of this
9 paragraph, “psychomotor skills” means skills that pupils are
10 required to perform as hands-on practice to support cognitive
11 learning.

12 (b) Before the commencement of the 2017–18 school year, the
13 department shall provide guidance on how to implement this
14 section, including, but not limited to, who may provide instruction
15 pursuant to this section.

16 (c) The governing board of a school district or the governing
17 body of a charter school is encouraged to provide to pupils general
18 information on the use and importance of an automated external
19 defibrillator (AED). The physical presence of an AED in the
20 classroom is not required.

21 (d) The governing board of a school district or the governing
22 body of a charter school may adopt policies to implement this
23 section.

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

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

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

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

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

11 ~~SEC. 3. If the Commission on State Mandates determines that~~
12 ~~this act contains costs mandated by the state, reimbursement to~~
13 ~~local agencies and school districts for those costs shall be made~~
14 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
15 ~~4 of Title 2 of the Government Code.~~