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# SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2019 - 2020 Regular

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**Bill No:** AB 1214 **Hearing Date:** June 26, 2019  
**Author:** Melendez  
**Version:** June 18, 2019  
**Urgency:** No **Fiscal:** Yes  
**Consultant:** Brandon Darnell

**Subject:** School employees: training: cardiopulmonary resuscitation.

## SUMMARY

This bill requires a local educational agency (LEA) to offer a course in cardiopulmonary resuscitation (CPR) and requires a school district or charter school, if it elects to offer any interscholastic athletic program, to have personnel with a valid certification of CPR training to be present at the athletic program's on-campus activities or events at all times.

## BACKGROUND

Existing law:

- 1) States the intent of the Legislature to encourage teachers to engage in an individual program of professional growth that extends their content knowledge and teaching skills and for school districts to establish professional growth programs that give individual teachers a wide range of options to pursue as well as significant roles in determining the course of their professional growth. (Education Code § 44277)
- 2) Authorizes an individual program of professional growth to consist of activities that are aligned with the California Standards for the Teaching Profession that contribute to competence, performance, or effectiveness in the profession of education and the classroom assignments of the teacher, and specifies that acceptable activities may include, among other acceptable activities, all of the following:
  - a) The completion of courses offered by regionally accredited colleges and universities, including instructor-led interactive courses delivered through online technologies.
  - b) Participation in professional conferences, workshops, teacher center programs, staff development programs, or a California Reading Professional Development Institute program.
  - c) Service as a mentor teacher.
  - d) Participation in school curriculum development projects.

- e) Participation in systematic programs of observation and analysis of teaching.
  - f) Service in a leadership role in a professional organization.
  - g) Participation in educational research or innovation efforts. (EC § 44277)
- 3) Specifically authorizes an individual program of professional growth to include a basic course in CPR, which includes training in the subdiaphragmatic abdominal thrust (also known as the “Heimlich maneuver”) and meets or exceeds the standards established by the American Heart Association or the American Red Cross for courses in that subject or minimum standards for training programs established by the Emergency Medical Services Authority. (EC § 44277)
- 4) Further authorizes an individual program of professional growth to also include a course in first aid that meets or exceeds the standards established by the American Red Cross for courses in that subject or minimum standards for training programs established by the Emergency Medical Services Authority. (EC § 44277)
- 5) Authorizes employing agencies and the bargaining agents of employees to negotiate to agree on the terms of programs of professional growth within their jurisdictions, provided that the agreements are consistent with state law requirements. (EC § 44277)
- 6) Commencing July 1, 2019, for a school district or charter school that elects to offer any interscholastic athletic program:
- a) Requires the school district or charter school to acquire at least one automated external defibrillator (AED) for each school within the school district or the charter school.
  - b) Requires the school district or charter school ensure that the AED or AEDs are available to athletic trainers and coaches and authorized persons at these activities or events.
  - c) Requires the school district or charter school to ensure that its AED or AEDs are maintained and regularly tested according to the operation and maintenance guidelines set forth by the manufacturer, the American Heart Association, or the American Red Cross, and according to any applicable rules and regulations set forth by the governmental authority under the federal Food and Drug Administration and any other applicable state and federal authority.
  - d) Encourages the school district or the charter school to ensure that the AED or AEDs are available for the purpose of rendering emergency care or treatment within a recommended three to five minutes of sudden cardiac arrest to pupils, spectators, and any other individuals in attendance at the athletic program’s on-campus activities or events. (EC § 35179.6)

## ANALYSIS

This bill requires an LEA to offer a course in cardiopulmonary resuscitation and requires a school district or charter school, if it elects to offer any interscholastic athletic program, to have personnel with a valid certification of CPR training to be present at the athletic program's on-campus activities or events at all times. Specifically, this bill:

- 1) Requires a school district or charter school, if it elects to offer any interscholastic athletic program, to have personnel with a valid certification of CPR training that includes training in the subdiaphragmatic abdominal thrust (also known as the "Heimlich maneuver") and meets or exceeds the standards established by the American Heart Association or the American Red Cross for courses in that subject or minimum standards for training programs established by the Emergency Medical Services Authority, to be present at the athletic program's on-campus activities or events at all times.
- 2) Prohibits a school district or charter school from requiring personnel not otherwise required by law or the bylaws of the California Interscholastic Federation to hold a valid certification of CPR training to obtain that training for purposes of complying with (1), unless it has been negotiated as part of a collective bargaining process.
- 3) Requires an LEA to offer a course in CPR for purposes of allowing school staff and teachers to participate in CPR training that includes training in the subdiaphragmatic abdominal thrust (also known as the "Heimlich maneuver") and meets or exceeds the standards established by the American Heart Association or the American Red Cross for courses in that subject or minimum standards for training programs established by the Emergency Medical Services Authority.
- 4) Specifies that the required course in CPR includes, but is not limited to, an individual program of professional growth that includes a basic course in CPR that includes training in the subdiaphragmatic abdominal thrust (also known as the "Heimlich maneuver") and meets or exceeds the standards established by the American Heart Association or the American Red Cross for courses in that subject or minimum standards for training programs established by the Emergency Medical Services Authority.

## STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, "In June 2016, 13 year-old Alex Pierce tragically drowned at Vista Murrieta High School during an end of the year party sponsored by McElhinney Middle School. When Alex was found unconscious beneath the water, novice lifeguards misevaluated the treatment and placed him on a backboard for several minutes in the water instead of administering CPR. Only one teacher at the pool party was CPR certified; he claims he was not working at the time and therefore should not be held liable for the child's death.

For a person to be CPR and First Aid Certified by American Red Cross Association, they must complete CPR training every two years. However, California teachers are required to take CPR training only once to complete their teacher credentials.

More school personnel should be allowed to be trained and obtain CPR certification to ensure that situations like these do not occur. Teachers and school employees must be well prepared and adequately trained to protect the lives of our children in dire cases of drowning, having an asthma attack, or heart failure. Courses in CPR are not required for professional growth programs and teachers are only required to have CPR certification when they initially receive their credentials.”

- 2) **Cardiopulmonary Resuscitation (CPR).** According to the American Heart Association, “CPR is an emergency lifesaving procedure performed when the heart stops beating. Immediate CPR can double or triple chances of survival after cardiac arrest. Keeping the blood flow active – even partially – extends the opportunity for a successful resuscitation once trained medical staff arrive on site.

In one year alone, 475,000 Americans die from a cardiac arrest. Globally, cardiac arrest claims more lives than colorectal cancer, breast cancer, prostate cancer, influenza, pneumonia, auto accidents, HIV, firearms, and house fires combined. More than 350,000 cardiac arrests occur outside of the hospital each year. In 2015, any-mention sudden cardiac arrest mortality in the US was 366,807. About 90 percent of people who experience an out-of-hospital cardiac arrest die.”

The American Heart Association and American Red Cross establish standards for CPR that are regularly updated. Most CPR certification courses are valid for two years.

- 3) **Previous legislation.** AB 1766 (Maienschein, Chapter 270, Statutes of 2018) requires public swimming pools, as defined, that are required to provide lifeguard services and that charge a direct fee to additionally provide an AED during pool operations. Also requires the California Department of Education (CDE), in consultation with the California Department of Public Health, to issue best practices guidelines related to pool safety at K–12 schools.

AB 2009 (Maienschein, Chapter 646, Statutes of 2018) requires school districts or charter schools that choose to offer any interscholastic athletic program, to ensure that there is a written emergency action plan in place that describes the location and procedures to be followed in the event of sudden cardiac arrest and other medical emergencies related to the athletic program’s activities or events. The written emergency action plan must be posted in compliance with the most recent pertinent guidelines of the National Federation of State High School Associations. Further requires the school districts or charter schools to acquire at least one AED for each school within the school district or the charter school.

AB 1719 (Rodriguez, Chapter 556, Statutes of 2016) requires school districts and charter schools that require a course in health education for graduation from high

school to include instruction in performing compression-only CPR. Requires the CDE to provide guidance on how to implement these provisions, including, but not limited to, who may provide instruction. Provides 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 AED pursuant to the bill will not be liable for any civil damages alleged to result from the acts or omissions of an individual who received such instruction.

SB 658 (Hill, Chapter 264, Statutes of 2015) requires, when an AED is placed in a public or private K–12 school, the principal to ensure that the school administrators and staff annually receive information that describes sudden cardiac arrest, the school’s emergency response plan, and the proper use of an AED. Further requires the principal to also ensure that instructions, in no less than 14-point type, on how to use the AED are posted next to every AED. The principal must, at least annually, notify school employees as to the location of all AED units on the campus.

**SUPPORT**

California Association for Health, Physical Education, Recreation & Dance  
California State PTA  
Southwest California Legislative Council

**OPPOSITION**

None received

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