

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1363

Introduced by

Representatives Meier, Dockter, Hagert, Heinert, J. Olson, Hauck, Jonas, Novak, Rohr
Senators Cleary, Dever, Boschee

1 A BILL for an Act to create and enact a new section to chapter 15.1-02 of the North Dakota
2 Century Code, relating to cardiac emergency response plans for public and nonpublic schools
3 and athletic events; ~~and to amend and reenact subsection 1 of section 15.1-06-06, subsection 1~~
4 ~~of section 15.1-06-06.1, and section 15.1-06-12 of the North Dakota Century Code, relating to~~
5 ~~public and nonpublic schools approval requirements and mandatory emergency and disaster~~
6 ~~drills.~~

7 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

8 **SECTION 1.** A new section to chapter 15.1-02 of the North Dakota Century Code is created
9 and enacted as follows:

10 **Superintendent of public instruction - Cardiac emergency response plan for public**
11 **and nonpublic schools and athletic events.**

12 1. As used in this section:

- 13 a. "Automated external defibrillator" means a lightweight, portable device capable of
14 delivering an electric shock through an individual's chest to the individual's heart,
15 which is used in the event of cardiac arrest to attempt to stop an irregular
16 heartbeat and allow a normal rhythm to resume.
- 17 b. "Cardiac arrest" means a life-threatening event in which an individual's heart
18 unexpectedly stops beating.
- 19 c. "Cardiac emergency response plan" or "plan" means a written document
20 establishing the specific steps to reduce the chance of death from cardiac arrest.

- 1 2. The ~~department of health and human services in collaboration with the~~ superintendent
2 of public instruction shall create a customizable cardiac emergency response plan
3 template for schools and nonpublic schools to use to develop a plan tailored to the
4 school or nonpublic school.
- 5 3. The cardiac emergency response plan template must integrate core elements
6 established by the American heart association or other nationally recognized
7 organization. The plan ~~template~~ must require:
- 8 a. ~~Establishment of a school cardiac emergency response~~Review and adoption of
9 the cardiac emergency response plan by the district crisis management team,
10 which must be reviewed annually.
- 11 b. Activation of the team ~~when~~if an individual experiences sudden cardiac arrest.
- 12 c. Placement of automated external defibrillators on school grounds.
- 13 d. Routine maintenance of automated external defibrillators.
- 14 e. Distribution of the plan on school grounds.
- 15 f. Stipulation of appropriate school personnel, including licensed coaches, school
16 nurses, and athletic trainers, to receive training.
- 17 g. ~~Periodic training of stipulated school personnel to perform cardiopulmonary~~
18 ~~resuscitation, use an automated external defibrillator, and administer first-aid.~~
- 19 ~~h. Annual practice by faculty and students of the plan using drills.~~
- 20 ~~i. Coordination with local emergency medical services providers.~~
- 21 ~~j.~~h. Annual review and evaluation of the plan.
- 22 4. Each public and nonpublic school shall:
- 23 a. Using the template provided by the superintendent of public instruction, develop
24 a cardiac emergency response plan ~~for inclusion in the school district crisis~~
25 management plan for use by school personnel ~~when~~if an individual experiences
26 sudden cardiac arrest or a similar life-threatening emergency on school grounds,
27 including an athletic venue, or at a school-sponsored athletic event.
- 28 b. Place each automated external defibrillator on school grounds according to the
29 guidelines established by the American heart association or an organization
30 focused on emergency cardiovascular care.

- 1 c. Place an automated external defibrillator in an easily accessible location at each
- 2 school athletic venue and event.
- 3 d. Identify each automated external defibrillator with appropriate signage.
- 4 e. Make each automated external defibrillator available in an unlocked location that
- 5 allows the automated external defibrillator to be retrieved and placed on an
- 6 individual experiencing cardiac arrest in fewer than three minutes.

7 5. A school, board of a school district and each individual member of the board,
8 governing board and each individual governing board member of a nonpublic school,
9 administrator, principal, teacher, school employee, and any member of the school
10 district crisis management team, whether a student or an adult, are immune from any
11 liability that might otherwise be incurred as a result of an injury caused by any act or
12 omission while carrying out any elements of the cardiac emergency response plan as
13 developed or implemented in accordance with this section.

14 ~~SECTION 2. AMENDMENT. Subsection 1 of section 15.1-06-06 of the North Dakota~~
15 ~~Century Code is amended and reenacted as follows:—~~

- 16 ~~1. To obtain certification that a public school is approved, the superintendent of the~~
- 17 ~~district in which the school is located shall submit to the superintendent of public~~
- 18 ~~instruction a compliance report verifying that:~~
- 19 ~~a. Each classroom teacher is licensed to teach by the education standards and~~
- 20 ~~practices board or approved to teach by the education standards and practices~~
- 21 ~~board;~~
- 22 ~~b. Each classroom teacher is teaching only in those course areas or fields for which~~
- 23 ~~the teacher is licensed or for which the teacher has received an exception under~~
- 24 ~~section 15.1-09-57;~~
- 25 ~~c. The school meets all curricular requirements set forth in chapter 15.1-21;~~
- 26 ~~d. The school participates in and meets the requirements of a review process that~~
- 27 ~~is:~~
- 28 ~~(1) Designed to improve student achievement through a continuous cycle of~~
- 29 ~~improvement; and~~
- 30 ~~(2) Approved by the superintendent of public instruction;~~

1 ~~_____ e. The physical school plant has been inspected by the state fire marshal or the~~
2 ~~state fire marshal's designee in accordance with section 15.1-06-09 and:~~

3 ~~_____ (1) Has no unremedied deficiency; or~~

4 ~~_____ (2) Has deficiencies that have been addressed in a plan of correction which~~
5 ~~was submitted to and approved by the state fire marshal or the state fire~~
6 ~~marshal's designee;~~

7 ~~_____ f. All individuals hired after June 30, 2011, and having unsupervised contact with~~
8 ~~students at the school, have:~~

9 ~~_____ (1) Undergone a criminal history background check requested by the employing~~
10 ~~school district; or~~

11 ~~_____ (2) Undergone a criminal history background check in order to be licensed by~~
12 ~~the education standards and practices board or by any other state licensing~~
13 ~~board; and~~

14 ~~_____ g. The school uses North Dakota eTranscripts, or an alternative information system~~
15 ~~designated by the information technology department in collaboration with the~~
16 ~~superintendent of public instruction, to generate official transcripts; and~~

17 ~~_____ h. The school has a cardiac emergency response plan under section 1 of this Act.~~

18 ~~_____ **SECTION 3. AMENDMENT.** Subsection 1 of section 15.1-06-06.1 of the North Dakota~~
19 ~~Century Code is amended and reenacted as follows: _____~~

20 ~~_____ 1. In order to obtain certification that a nonpublic school is approved, the administrator of~~
21 ~~a nonpublic school shall submit to the superintendent of public instruction a~~
22 ~~compliance report verifying that:~~

23 ~~_____ a. Each classroom teacher is licensed to teach by the education standards and~~
24 ~~practices board or approved to teach by the education standards and practices~~
25 ~~board;~~

26 ~~_____ b. Each classroom teacher is teaching only in those course areas or fields for which~~
27 ~~the teacher is licensed or for which the teacher has received an exception under~~
28 ~~section 15.1-09-57;~~

29 ~~_____ c. The school meets all curricular requirements set forth in chapter 15.1-21;~~

30 ~~_____ d. The school has been inspected by the state fire marshal or the state fire~~
31 ~~marshal's designee in accordance with section 15.1-06-10 and:~~

- 1 ~~_____ (1) Has no unremedied deficiency; or~~
2 ~~_____ (2) Has deficiencies that have been addressed in a plan of correction which~~
3 ~~was submitted to and approved by the state fire marshal or the state fire~~
4 ~~marshal's designee; and~~
5 ~~_____ e. All individuals hired after June 30, 2011, and having unsupervised contact with~~
6 ~~students at the school, have:~~
7 ~~_____ (1) Undergone a criminal history background check requested on behalf of the~~
8 ~~employing school; or~~
9 ~~_____ (2) Undergone a criminal history background check in order to be licensed by~~
10 ~~the education standards and practices board or by any other state licensing~~
11 ~~board; and~~
12 ~~_____ f. The school has a cardiac emergency response plan under section 1 of this Act.~~
13 ~~_____ **SECTION 4. AMENDMENT.** Section 15.1-06-12 of the North Dakota Century Code is~~
14 ~~amended and reenacted as follows:~~
15 ~~_____ **15.1-06-12. Emergency and disaster drills -- Implementation.**~~
16 ~~_____ Each public and nonpublic school shall conduct fire, tornado, and other emergency or~~
17 ~~disaster drills, including lockdown and cardiac emergency response plan drills.~~