

1 AN ACT relating to automated external defibrillators in schools.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 158.162 is amended to read as follows:

4 (1) As used in this section:

5 (a) "Emergency management response plan" or "emergency plan" means a
6 written document to prevent, mitigate, prepare for, respond to, and recover
7 from emergencies; and

8 (b) "First responders" means local fire, police, and emergency medical personnel.

9 (2) (a) Each local board of education shall require the school council or, if none
10 exists, the principal in each school building in its jurisdiction to adopt an
11 emergency plan to include procedures to be followed in case of fire, severe
12 weather, or earthquake, or if a building lockdown as defined in KRS 158.164
13 is required.

14 (b) Following adoption, the emergency plan, along with a diagram of the facility,
15 shall be provided to appropriate first responders.

16 (c) The emergency plan shall be reviewed following the end of each school year
17 by the school council, the principal, and first responders and shall be revised
18 as needed.

19 (d) The principal shall discuss the emergency plan with all school staff prior to
20 the first instructional day of each school year and shall document the time and
21 date of any discussion.

22 (e) The emergency plan and diagram of the facility shall be excluded from the
23 application of KRS 61.870 to 61.884.

24 (3) Each local board of education shall require the school council or, if none exists, the
25 principal in each school building to:

26 (a) Establish primary and secondary evacuation routes for all rooms located
27 within the school and shall post the routes in each room by any doorway used

1 for evacuation;

2 (b) Identify the best available severe weather safe zones, in consultation with
3 local and state safety officials and informed by guiding principles set forth by
4 the National Weather Service and the Federal Emergency Management
5 Agency, and post the location of safe zones in each room of the school;

6 (c) Develop practices for students to follow during an earthquake;~~{and}~~

7 (d) Develop and adhere to practices to control the access to each school building.

8 Practices shall include but not be limited to:

- 9 1. Controlling outside access to exterior doors during the school day;
- 10 2. Controlling the main entrance of the school with electronically locking
11 doors, a camera, and an intercom system;
- 12 3. Controlling access to individual classrooms;
- 13 4. Requiring classroom doors to be equipped with hardware that allows the
14 door to be locked from the outside but opened from the inside;
- 15 5. Requiring classroom doors to remain closed and locked during
16 instructional time, except:
 - 17 a. In instances in which only one (1) student and one (1) adult are in
18 the classroom; or
 - 19 b. When approved in writing by the state school security marshal;
- 20 6. Requiring classroom doors with windows to be equipped with material
21 to quickly cover the window during a building lockdown;
- 22 7. Requiring all visitors to report to the front office of the building, provide
23 valid identification, and state the purpose of the visit; and
- 24 8. Providing a visitor's badge to be visibly displayed on a visitor's outer
25 garment; and

26 (e) Maintain a portable automated external defibrillator in a public, readily
27 accessible, well-marked location of every middle and high school building

1 and at every school sanctioned event, practice, or athletic competition by
2 academic year 2025-2026 and:

3 1. Adopt procedures for the use of the portable automated external
4 defibrillator during an emergency;

5 2. Adopt policies for compliance with KRS 311.665 to 311.669 on
6 training, maintenance, notification, and communication with the local
7 emergency medical services system; and

8 3. Ensure that a minimum of three (3) employees in the school and all
9 interscholastic athletic coaches be trained on the use of a portable
10 automated external defibrillator in accordance with KRS 311.667.

11 (4) All schools shall be in compliance with the provisions of subsection (3)(d) of this
12 section as soon as practicable but no later than July 1, 2022.

13 (5) Each local board of education shall require the principal in each public school
14 building in its jurisdiction to conduct, at a minimum, emergency response drills to
15 include one (1) severe weather drill, one (1) earthquake drill, and one (1) lockdown
16 drill within the first thirty (30) instructional days of each school year and again
17 during the month of January. Required fire drills shall be conducted according to
18 administrative regulations promulgated by the Department of Housing, Buildings
19 and Construction. Whenever possible, first responders shall be invited to observe
20 emergency response drills.

21 (6) No later than November 1 of each school year, a local district superintendent shall
22 send verification to the Kentucky Department of Education that all schools within
23 the district are in compliance with the requirements of this section.

24 (7) A district with a school not in compliance with the requirements of subsection
25 (3)(d) of this section by July 1, 2022, shall not be eligible for approval by the
26 Kentucky Department of Education for new building construction or expansion in
27 the 2022-2023 school year and any subsequent year without verification of

1 compliance, except for facility improvements that specifically address the school
2 safety and security requirements of this section, when deemed necessary for the
3 protection of student or staff health and safety, or to comply with other legal
4 requirements or orders.

5 ➔Section 2. KRS 158.302 is amended to read as follows:

6 (1) The General Assembly hereby finds that training Kentucky students in
7 cardiopulmonary resuscitation procedures will:

8 (a) Increase students' ability to respond to emergency situations at school, home,
9 and public places;

10 (b) Benefit Kentucky communities by rapidly increasing the number of people
11 ready to respond to sudden cardiac arrest, a leading cause of death in the
12 United States; and

13 (c) Assist students in becoming responsible citizens consistent with the goals
14 established in KRS 158.6451.

15 (2) Every public high school shall provide cardiopulmonary resuscitation training to
16 students as part of the health course or the physical education course that is required
17 for high school graduation or the Junior Reserve Officers Training Corps course
18 that meets the physical education requirement. The training shall:

19 (a) Be based on the American Heart Association's Guidelines for CPR and
20 Emergency Cardiovascular Care or other nationally recognized, evidenced-
21 based guidelines;

22 (b) Incorporate psychomotor skills training to support cognitive learning; and

23 (c) Make students aware of the purpose of an automated external defibrillator and
24 its ease and safety of use.

25 (3) The training does not have to be provided by a certified instructor or result in
26 students being certified in cardiopulmonary resuscitation.

27 (4) A school administrator may waive the requirement that a student receive instruction

1 under subsection (2) of this section if the student has a disability or is physically
2 unable to perform the psychomotor skills component of the instruction required.

3 ~~[(5) This section shall not be construed to require a school to have an automated~~
4 ~~external defibrillator on its premises, although having one available for emergencies~~
5 ~~is encouraged.]~~

6 ➔Section 3. KRS 160.445 is amended to read as follows:

7 (1) (a) The Kentucky Board of Education or organization or agency designated by
8 the board to manage interscholastic athletics shall require each interscholastic
9 coach to complete a sports safety course consisting of training on how to
10 prevent common injuries. The content of the course shall include but not be
11 limited to emergency planning, heat and cold illnesses, emergency
12 recognition, head injuries including concussions, neck injuries, facial injuries,
13 **cardiopulmonary resuscitation, use of a portable automated external**
14 **defibrillator in accordance with KRS 311.667,** and principles of first aid. The
15 course shall also be focused on safety education and shall not include
16 coaching principles.

17 (b) The state board or its agency shall:

- 18 1. Establish a minimum timeline for a coach to complete the course;
- 19 2. Approve providers of a sports safety course;
- 20 3. Be responsible for ensuring that an approved course is taught by
21 qualified professionals who shall either be athletic trainers, registered
22 nurses, physicians, or physician's assistants licensed to practice in
23 Kentucky; and
- 24 4. Establish the minimum qualifying score for successful course
25 completion.

26 (c) A course shall be reviewed for updates at least once every thirty (30) months
27 and revised if needed.

- 1 (d) A course shall be able to be completed through hands-on or online teaching
2 methods in ten (10) clock hours or less.
- 3 (e) 1. A course shall include an end-of-course examination with a minimum
4 qualifying score for successful course completion established by the
5 board or its agency.
- 6 2. All coaches shall be required to take the end-of-course examination and
7 shall obtain at least the minimum qualifying score.
- 8 (f) Beginning with the 2009-2010 school year, and each year thereafter, at least
9 one (1) person who has completed the course shall be at every interscholastic
10 athletic practice and competition.
- 11 (2) (a) Beginning with the 2012-2013 school year, and each year thereafter, the state
12 board or its agency shall require each interscholastic coach to complete
13 training on how to recognize the symptoms of a concussion and how to seek
14 proper medical treatment for a person suspected of having a concussion. The
15 training shall be approved by the state board or its agency and may be
16 included in the sports safety course required under subsection (1)(a) of this
17 section.
- 18 (b) The board or its agency shall develop guidelines and other pertinent
19 information or adopt materials produced by other agencies to inform and
20 educate student athletes and their parents or legal guardians of the nature and
21 risk of concussion and head injury, including the continuance of play after
22 concussion or head injury. Any required physical examination and parental
23 authorization shall include acknowledgement of the education information
24 required under this paragraph.
- 25 (c) Upon request, the board or its agency shall make available to the public any
26 training materials developed by the board or agency used to satisfy the
27 requirements of paragraph (a) of this subsection. The board or its agency shall

1 not be held liable for the use of any training materials so disseminated.

2 (3) (a) A student athlete suspected by an interscholastic coach, school athletic
3 personnel, or contest official of sustaining a concussion during an athletic
4 practice or competition shall be removed from play at that time and shall not
5 return to play prior to the ending of the practice or competition until the
6 athlete is evaluated to determine if a concussion has occurred. The evaluation
7 shall be completed by a physician or a licensed health care provider whose
8 scope of practice and training includes the evaluation and management of
9 concussions and other brain injuries. A student athlete shall not return to play
10 on the date of a suspected concussion absent the required evaluation.

11 (b) 1. Upon completion of the required evaluation, a coach:

12 a. May return a student athlete to play if the physician or licensed
13 health care provider determines that no concussion has occurred;
14 or

15 b. Shall not return a student athlete to play if the physician or
16 licensed health care provider determines that a concussion has
17 occurred.

18 2. If no physician or licensed health care provider described in paragraph
19 (a) of this subsection is present at the practice or competition to perform
20 the required evaluation, a coach shall not return a student athlete to play
21 who is suspected of sustaining a concussion. The student athlete shall
22 not be allowed to participate in any subsequent practice or athletic
23 competition unless written clearance from a physician is provided.

24 (c) A student athlete deemed to be concussed shall not return to participate in any
25 athletic practice or competition occurring on the day of the injury. The injured
26 student athlete shall not be allowed to participate in any subsequent practice
27 or athletic competition unless written clearance from a physician is provided.

(4) The state board or its agency shall adopt rules governing interscholastic athletics that require each school that participates in interscholastic athletics to:

(a) Maintain a portable automated external defibrillator in a public, readily accessible, well-marked location at each school-sanctioned athletic practice or competition;

(b) Comply with KRS 311.665 to 311.669; and

(c) Have at least three (3) school employees and each interscholastic coach trained in accordance with KRS 311.667.

~~(5)~~ ~~(a)~~ The state board or its agency shall adopt rules governing interscholastic athletics conducted by local boards of education to require each school that participates in interscholastic athletics to develop a venue-specific emergency action plan to deal with serious injuries and acute medical conditions in which the condition of the patient may deteriorate rapidly. The plan shall:

~~(a)~~ ~~(1)~~ Include a delineation of role, methods of communication, available emergency equipment, and access to and plan for emergency transport; ~~and~~

~~(b)~~ ~~(2)~~ Identify the location of an automated external defibrillator and the procedures for its use during an emergency; and

~~(c)~~ Be in writing, reviewed by the principal of the school, distributed to all appropriate personnel, posted conspicuously at all venues, and reviewed and rehearsed annually by all licensed athletic trainers, first responders, coaches, school nurses, athletic directors, and volunteers for interscholastic athletics.

~~(6)~~ ~~(b)~~ Each school shall submit annual written certification ~~[verification]~~ to the state board or its agency of:

(a) The school's compliance with any rule adopted in accordance with subsection (5) of this section; and

(b) The existence of a venue-specific emergency action plan that the school has reviewed and rehearsed as required by subsection (5)(c) of this section ~~to~~

- 1 ~~the state board or its agency~~.
- 2 ~~(7)(5)~~ Each school shall maintain complete and accurate records of its compliance
- 3 with this section and shall make the records available for review by the state
- 4 board or its agency upon request.