

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE DRS95063-MK-80A (03/14)

Short Title: Student Safety/Heat Illness.

(Public)

Sponsors: Senators Cook, Pate, and Rabin (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE THE DEVELOPMENT AND IMPLEMENTATION OF A SAFETY
3 AND TRAINING PROGRAM FOR THE PREVENTION AND TREATMENT OF
4 EXERTIONAL HEAT ILLNESS IN STUDENTS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.(a)** The Department of Public Instruction (DPI), in consultation with
7 the North Carolina Athletic Trainers' Association (NCATA), the North Carolina Medical
8 Society (NCMS), the North Carolina High School Athletic Association (NCHSAA), the North
9 Carolina Independent School Athletic Association (NCISAA), and the Korey Stringer Institute
10 (KSI), shall develop a safety training and education program for the prevention and treatment
11 of exertional heat illness (EHI) in students. The program shall be developed for use by coaches,
12 school nurses, athletic directors, first responders, volunteers, club directors, band directors,
13 physical educators, wellness directors, students who participate in athletic activities or
14 extracurricular activities involving physical exertion, and the parents of those students.

15 **SECTION 1.(b)** The program shall include at least the following:

- 16 (1) Written information detailing the recognition of the signs and symptoms of
17 EHI.
18 (2) A description of recommended training and the prevention techniques to
19 decrease the occurrence of EHI.
20 (3) An emergency medical protocol for recognizing and treating EHI, including
21 identifying the correct equipment, supplies, and procedures for school
22 personnel and parents.
23 (4) Requirements for a student's return to participation in an athletic activity or
24 extracurricular activity involving physical exertion.

25 **SECTION 2.** G.S. 115C-47(4) reads as rewritten:

- 26 "(4) To Regulate Extracurricular Activities. – Local boards of education shall
27 make all rules and regulations necessary for the conducting of
28 extracurricular activities in the schools under their supervision, including a
29 program of athletics, where desired, without assuming liability therefor;
30 provided, that all interscholastic athletic activities shall be conducted in
31 accordance with rules and regulations prescribed by the State Board of
32 Education. Local boards of education shall require in their local school
33 administrative units the implementation of the safety training and education
34 program developed by the Department of Public Instruction to prevent and
35 treat exertional heat illness (EHI) for students participating in athletics or



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1 extracurricular activities involving physical exertion. Local boards shall also
2 require the following as part of the program:

- 3 a. All coaches, school nurses, athletic directors, first responders,
4 volunteers, club directors, band directors, physical educators,
5 wellness directors, students who participate in athletic activities or
6 extracurricular activities involving physical exertion, and the parents
7 of those students shall receive, on an annual basis, an information
8 sheet on EHI. Parents must sign an acknowledgement form of the
9 receipt of the information and return it to school employees before
10 their children can participate in athletic activities or extracurricular
11 activities involving physical exertion, including classes, tryouts,
12 practices, events, or competition. The signed sheets shall be
13 maintained in accordance with sub-subdivision d. of this subdivision.
14 b. If a student participating in an athletic activity or extracurricular
15 activity involving physical exertion exhibits signs or symptoms
16 consistent with EHI, the student shall be removed from the activity at
17 that time, provided emergency treatment if necessary, and shall not
18 be allowed to return to play or practice that day. The student shall not
19 return to an activity involving physical exertion on a subsequent day
20 until the student is evaluated by and receives written clearance for
21 such participation from (i) a physician licensed under Article 1 of
22 Chapter 90 of the General Statutes with training in the management
23 of EHI, (ii) an athletic trainer licensed under Article 34 of Chapter 90
24 of the General Statutes, (iii) a physician assistant, consistent with the
25 limitations of G.S. 90-18.1, or (iv) a nurse practitioner, consistent
26 with the limitations of G.S. 90-18.2.
27 c. Each school shall develop a venue specific emergency action plan to
28 deal with serious illness and acute medical conditions in which the
29 condition of a student may deteriorate rapidly. The plan shall include
30 a delineation of roles, methods of communication, available
31 emergency equipment, and access to and plan for emergency
32 transport. This plan must be (i) in writing, (ii) reviewed by an athletic
33 trainer licensed in North Carolina, (iii) approved by the principal of
34 the school, (iv) distributed to all appropriate personnel and
35 volunteers, (v) posted conspicuously at all venues, and (vi) reviewed
36 and rehearsed annually by all licensed athletic trainers, coaches,
37 school nurses, athletic directors, first responders, appropriate
38 volunteers, club directors, band directors, physical educators, and
39 wellness directors involved in student athletics or extracurricular
40 activities for students involving physical exertion.
41 d. Each school shall maintain complete and accurate records of its
42 compliance with the requirements of this subdivision pertaining to
43 EHI."

44 **SECTION 3.** G.S. 115C-238.29F(a) reads as rewritten:

45 "(a) Health and Safety Standards. – A charter school shall meet the same health and
46 safety requirements required of a local school administrative unit. The Department of Public
47 Instruction shall ensure that charter schools provide parents and guardians with information
48 about meningococcal meningitis and influenza and their vaccines at the beginning of every
49 school year. This information shall include the causes, symptoms, and how meningococcal
50 meningitis and influenza are spread and the places where parents and guardians may obtain
51 additional information and vaccinations for their children.

1 The Department of Public Instruction shall also ensure that charter schools provide parents
2 and guardians with information about cervical cancer, cervical dysplasia, human
3 papillomavirus, and the vaccines available to prevent these diseases. This information shall be
4 provided at the beginning of the school year to parents of children entering grades five through
5 [through] 12. This information shall include the causes and symptoms of these diseases, how
6 they are transmitted, how they may be prevented by vaccination, including the benefits and
7 possible side effects of vaccination, and the places where parents and guardians may obtain
8 additional information and vaccinations for their children.

9 The Department of Public Instruction shall also ensure that charter schools receive the
10 safety training and education program developed by the Department of Public Instruction to
11 prevent and treat exertional heat illness (EHI) in students participating in athletics or
12 extracurricular activities involving physical exertion.

13 The Department of Public Instruction shall also ensure that charter schools provide students
14 in grades nine through 12 with information annually on the manner in which a parent may
15 lawfully abandon a newborn baby with a responsible person, in accordance with G.S. 7B-500.

16 The Department of Public Instruction shall also ensure that the guidelines for individual
17 diabetes care plans adopted by the State Board of Education under G.S. 115C-12(31) are
18 implemented in charter schools in which students with diabetes are enrolled and that charter
19 schools otherwise comply with the provisions of G.S. 115C-375.3."

20 **SECTION 4.** G.S. 115C-548 reads as rewritten:

21 "**§ 115C-548. Attendance; health and safety regulations.**

22 Each private church school or school of religious charter shall make, and maintain annual
23 attendance and disease immunization records for each pupil enrolled and regularly attending
24 classes. Attendance by a child at any school to which this Part relates and which complies with
25 this Part shall satisfy the requirements of compulsory school attendance so long as the school
26 operates on a regular schedule, excluding reasonable holidays and vacations, during at least
27 nine calendar months of the year. Each school shall be subject to reasonable fire, health and
28 safety inspections by State, county and municipal authorities as required by law.

29 The Division of Nonpublic Education, Department of Administration, shall ensure that
30 materials are provided to these schools so that they can provide parents and guardians with
31 information about meningococcal meningitis and influenza and their vaccines at the beginning
32 of every school year. This information may be provided electronically or on the Division's Web
33 page. This information shall include the causes, symptoms, and how meningococcal meningitis
34 and influenza are spread and the places where parents and guardians may obtain additional
35 information and vaccinations for their children.

36 The Division of Nonpublic Education, Department of Administration, shall also ensure that
37 materials are provided to these schools so that they can provide parents and guardians with
38 information about cervical cancer, cervical dysplasia, human papillomavirus, and the vaccines
39 available to prevent these diseases. This information may be provided electronically or on the
40 Division's Web page. This information shall include the causes and symptoms of these
41 diseases, how they are transmitted, how they may be prevented by vaccination, including the
42 benefits and possible side effects of vaccination, and the places where parents and guardians
43 may obtain additional information and vaccinations for their children.

44 The Division of Nonpublic Education, Department of Administration, shall also ensure that
45 information is available to these schools on the safety training and education program
46 developed by the Department of Public Instruction to prevent and treat exertional heat illness
47 (EHI) in students participating in athletics or extracurricular activities involving physical
48 exertion.

49 The Division of Nonpublic Education, Department of Administration, shall also ensure that
50 information is available to these schools so that they can provide information on the manner in

1 which a parent may lawfully abandon a newborn baby with a responsible person, in accordance
2 with G.S. 7B-500."

3 **SECTION 5.** G.S. 115C-556 reads as rewritten:

4 "**§ 115C-556. Attendance; health and safety regulations.**

5 Each qualified nonpublic school shall make, and maintain annual attendance and disease
6 immunization records for each pupil enrolled and regularly attending classes. Attendance by a
7 child at any school to which this Part relates and which complies with this Part shall satisfy the
8 requirements of compulsory school attendance so long as the school operates on a regular
9 schedule, excluding reasonable holidays and vacations, during at least nine calendar months of
10 the year. Each school shall be subject to reasonable fire, health and safety inspections by State,
11 county and municipal authorities as required by law.

12 The Division of Nonpublic Education, Department of Administration, shall ensure that
13 materials are provided to each qualified nonpublic school so that the school can provide parents
14 and guardians with information about meningococcal meningitis and influenza and their
15 vaccines at the beginning of every school year. This information may be provided
16 electronically or on the Division's Web page. This information shall include the causes,
17 symptoms, and how meningococcal meningitis and influenza are spread and the places where
18 parents and guardians may obtain additional information and vaccinations for their children.

19 The Division of Nonpublic Education, Department of Administration, shall also ensure that
20 materials are provided to each qualified nonpublic school so that the school can provide parents
21 and guardians with information about cervical cancer, cervical dysplasia, human
22 papillomavirus, and the vaccines available to prevent these diseases. This information may be
23 provided electronically or on the Division's Web page. This information shall include the
24 causes and symptoms of these diseases, how they are transmitted, how they may be prevented
25 by vaccination, including the benefits and possible side effects of vaccination, and the places
26 where parents and guardians may obtain additional information and vaccinations for their
27 children.

28 The Division of Nonpublic Education, Department of Administration, shall also ensure that
29 information is available to each qualified nonpublic school so that the school can provide
30 parents with information on the safety training and education program developed by the
31 Department of Public Instruction to prevent and treat exertional heat illness (EHI) in students
32 participating in athletics or extracurricular activities involving physical exertion.

33 The Division of Nonpublic Education, Department of Administration, shall also ensure that
34 information is available to each qualified nonpublic school so that the school can provide
35 information on the manner in which a parent may lawfully abandon a newborn baby with a
36 responsible person, in accordance with G.S. 7B-500."

37 **SECTION 6.** This act is effective when it becomes law and applies beginning with
38 the 2014-2015 school year.