

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H.B. 955
Apr 25, 2019
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10565-MTa-123

Short Title: Sam's Law.

(Public)

Sponsors: Representatives Jarvis, Murphy, Horn, and Hardister (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT RELATING TO SEIZURE DISORDERS IN SCHOOLS.
3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** This act shall be known as the "Seizure Safe Schools Act of 2019" or
5 "Sam's Law" and may be cited by those names.

6 **SECTION 2.** Article 25A of Chapter 115C of the General Statutes is amended by
7 adding a new section to read:

8 "**§ 115C-375.7. Seizures.**

9 (a) Definitions. – For purposes of this section, the following definitions shall apply:

10 (1) Parent. – A parent, legal guardian, or legal custodian of a student.

11 (2) Public school unit. – Any of the following:

12 a. A local school administrative unit.

13 b. A charter school.

14 c. A regional school.

15 d. A school providing elementary or secondary instruction operated by
16 one of the following:

17 1. The State Board of Education, including schools operated
18 under Article 7A and Article 9C of this Chapter.

19 2. The University of North Carolina, including schools operated
20 under Article 4, Article 29, and Article 29A of Chapter 116 of
21 the General Statutes.

22 (3) School unit. – A public school unit or a school that meets the requirements of
23 Part 1 or Part 2 of Article 39 of this Chapter.

24 (4) Seizure action plan. – A written, individualized health plan between a school
25 unit and the parent of a student in the unit who is diagnosed with a seizure
26 disorder. The plan acknowledges the health care needs of the student, prepares
27 both parties to meet those needs, and applies over the course of a school year.

28 (b) Seizure Action Plan. – The parent of any student may petition a school unit for the
29 development of a seizure action plan if the student is (i) diagnosed with a seizure disorder and
30 (ii) enrolled in the school unit. The school unit shall keep each seizure action plan on file in the
31 office of a school administrator or school nurse employed by the unit and make the plan available
32 to any school personnel and, with the permission of the student's parent, any volunteer
33 responsible for the supervision of the student. The parent and the school unit shall develop the
34 seizure action plan in accordance with policies and procedures developed by the governing body
35 of a school unit. At a minimum, the plan shall include the following components:



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- 1 (1) A written statement from the student's health care provider with all of the
2 following information:
3 a. The student's name.
4 b. Any seizure medication prescribed to the student.
5 c. The dosage and method of administering the seizure medication.
6 d. The frequency of administration of the seizure medication.
7 e. The symptoms necessitating administration of the seizure medication.
8 (2) A written statement from the parent indicating whether school personnel or
9 volunteers are permitted to administer the seizure medication to the student in
10 the applicable school year. This permission shall be renewed in each
11 subsequent school year the student attends a school in the school unit.
12 (3) If school personnel or volunteers who meet the training requirements of this
13 section are permitted to administer the seizure medication to the student, a
14 written statement that the parent will provide the school with at least one,
15 unopened dosage of the medication with an intact pharmaceutical label. The
16 school shall store the medication in a safe and secure location accessible only
17 by school personnel or volunteers with training to administer seizure
18 medication in accordance with subsection (c) of this section.

19 (c) Employee Administration of Seizure Medication. – Each school unit shall ensure that
20 at least one employee in each school in the unit is trained to administer or assist with the
21 self-administration of any seizure medication provided to the school pursuant to subsection (b)
22 of this section. The governing body of each school unit shall adopt minimum training
23 requirements for these employees and for any volunteer that may supervise students with seizure
24 disorders if the volunteer elects to receive the training. The training requirements shall be
25 consistent with training guidelines established by the Epilepsy Foundation of America, Inc., or
26 its successor.

27 (d) Seizure Education Program. – The governing body of each public school unit shall
28 adopt a policy outlining the requirements of a seizure education program for all school personnel
29 having direct contact with students in grades kindergarten through 12. The seizure education
30 program shall be administered on an annual basis in each public school unit and, at a minimum,
31 meet the following requirements:

- 32 (1) Instructions in administering seizure medications.
33 (2) Signs and symptoms of seizures and the appropriate steps to be taken to
34 respond to symptoms of a seizure.
35 (3) Consistency with guidelines established by the Epilepsy Foundation of
36 America, Inc., or its successor.

37 (e) Self-Study Requirement. – The governing body of each school unit shall adopt a
38 policy requiring all principals, guidance counselors, and teachers in the unit to complete at least
39 one hour of self-study review of seizure disorder materials each school year. The governing body
40 of the unit shall select the materials for study in accordance with current practices and standards.

41 (f) Informational Poster. – The governing body of each school unit shall ensure that an
42 informational display on seizure first aid is posted in at least one visible, high-traffic area in each
43 school in the unit."

44 **SECTION 3.(a)** G.S. 115C-12 is amended by adding a new subdivision to read:

45 "(47) Duty Regarding Seizures. – The State Board of Education shall develop a
46 policy regarding seizures in accordance with G.S. 115C-375.7 for all schools
47 operated under the control of the State Board of Education."

48 **SECTION 3.(b)** G.S. 115C-47 is amended by adding a new subdivision to read:

49 "(64) Duty Regarding Seizures. – Each local board of education shall adopt a policy
50 regarding seizures in accordance with G.S. 115C-375.7 and the policy
51 adopted by the State Board of Education pursuant to G.S. 115C-12(47)."

1 **SECTION 3.(c)** G.S. 115C-218.75 is amended by adding a new subsection to read:
2 "(g) Seizure Policy. – A charter school shall adopt a policy regarding seizures in
3 accordance with G.S. 115C-375.7."

4 **SECTION 3.(d)** G.S. 115C-238.66 is amended by adding a new subdivision to read:
5 "(14) Seizure policy. – A regional school shall adopt a policy regarding seizures in
6 accordance with G.S. 115C-375.7."

7 **SECTION 3.(e)** G.S. 116-11 is amended by adding a new subdivision to read:
8 "(12f) The Board of Governors shall adopt a policy regarding seizures in accordance
9 with G.S. 115C-375.7 for all school units, as defined in that section, operated
10 under the control of the Board of Governors."

11 **SECTION 3.(f)** Article 39 of Chapter 115C of the General Statutes is amended by
12 adding two new sections to read:

13 "**§ 115C-548.5. Seizure policy.**

14 Each private church school or school of religious charter shall adopt a policy regarding
15 seizures in accordance with G.S. 115C-375.7.

16 ...

17 "**§ 115C-556.5. Seizure policy.**

18 Each qualified nonpublic school shall adopt a policy regarding seizures in accordance with
19 G.S. 115C-375.7."

20 **SECTION 4.** There is appropriated from the General Fund to the Department of
21 Public Instruction the sum of twenty thousand dollars (\$20,000) in nonrecurring funds to assist
22 the State Board of Education with the development of its seizure policy and with other costs
23 associated with the implementation of this act. The State Board of Education may share any
24 materials or policy language it develops pursuant to Section 3(a) of this act with the Board of
25 Governors of The University of North Carolina and the Division of Nonpublic Schools to
26 facilitate the development of other seizure policies that are consistent with this act.

27 **SECTION 5.** This act becomes effective July 1, 2019, and applies beginning with
28 the 2020-2021 school year.