



SENATE BILL 354: Sam's Law.

2019-2020 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	June 25, 2019
Introduced by:	Sens. Ballard, Edwards, Harrington	Prepared by:	Drupti Chauhan
Analysis of:	PCS to Third Edition S354-CSRQ-17		Committee Counsel

OVERVIEW: Senate Bill 354 would require seizure action plans for students who have seizure disorders and training for school employees and volunteers on how to assist and provide medications to these students.

The Proposed Committee Substitute (PCS) for SB 354 would clarify that volunteers cannot administer or assist with the self-medication of seizure medications if the volunteer has not met the training requirements. It would also encourage private church schools, schools of religious charter, and qualified nonpublic schools to adopt regarding seizures rather than mandate that they do so.

BILL ANALYSIS: Senate Bill 354 would require seizure action plans for students who have seizure disorders and training for school employees and volunteers on how to assist and provide medication to these students. It would apply to all public schools in the State.

Seizure Action Plan: The parent of a student with a seizure disorder can petition the student's school for the development of a seizure action plan. The school must keep each seizure action plan on file in the office of a school administrator or school nurse and may make the plan available to any school personnel and, if the parent agrees, volunteers that supervise the student. The parents and schools must develop the seizure action plan in accordance with the policies and procedures developed by the governing body of the school (such as a local board of education or a board of directors).

The plan must include the following:

- A written statement from the student's health care provider that includes information on any prescribed seizure medication, the dosage and administration of the medication, and the symptoms that necessitate the administration of the medication.
- A written statement from the parent indicating whether trained school personnel or volunteers are permitted to administer the medication.
- If the parent allows school personnel or volunteers to administer the medication, the parent must provide the school with at least one, unopened dosage of the medication with an intact pharmaceutical label.
- A requirement that the school store the medication in a safe and secure location accessible by the trained school personnel and volunteers.

School Employee Training and Administration of Seizure Medication: Each school must ensure that at least one school employee is trained to administer or assist with the self-administration of seizure medication. Volunteers may also administer or assist with the self-administration of the seizure medication if they have received the training and permitted by the parents to do so. The governing body of the school must adopt

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minimum training requirements which are consistent with the guidelines established by the Epilepsy Foundation of America.

Seizure Education Program for School Employees: The governing body of each school must adopt a policy that outlines the requirements of seizure education program for all school personnel that have direct contact with students in grades K-12. The seizure education program must be administered annually in each school and meet the following requirements:

- Provide instructions in administering seizure medications.
- Educate on the signs and symptoms of seizures and how to respond.
- Be consistent with guidelines established with the Epilepsy Foundation of America.

Self-Study Requirement for School Employees: The governing body of each school must:

- Adopt a policy that requires all principals, guidance counselors, and teachers to complete at least one hour of self-study review of seizure disorder materials each school year.
- Select the materials for the self-study.

Informational Poster: The governing body of each school must ensure that an informational display on seizure first aid is posted in at least one visible, high-traffic area in each school.

Limitation on Liability: The governing body of a school, its members, employees, designees, agents, or volunteers are not liable in civil damages to any party for any act authorized by the new statute or for any omission related to that act, unless the act or omission amounts to gross negligence, wanton conduct, or intentional wrongdoing.

Adoption of Rules and Policies:

- The State Board of Education must adopt rules for all schools operated under its control regarding seizures and the requirements of this bill.
- Local boards of education must adopt policies regarding seizures, the requirements of this bill, and the rules adopted by the State Board of Education.
- Charter schools must adopt policies regarding seizures, the requirements of this bill, and the rules adopted by the State Board of Education.
- Regional schools must adopt policies regarding seizures, the requirements of this bill, and the rules adopted by the State Board of Education.
- The Board of Governors of The University of North Carolina must adopt policies for schools under its control regarding seizures, the requirements of this bill, and the rules adopted by the State Board of Education.
- Private church schools or schools of religious charter are encouraged to adopt policies regarding seizures.
- Qualified nonpublic schools are encouraged to adopt policies regarding seizures.

Home School Exemption:

The bill would exempt home schools from the requirement of creating seizure action plans and training for employees and adopting policies.

EFFECTIVE DATE: The bill becomes effective when it becomes law and applies beginning with the 2020-2021 school year.