

GENERAL ASSEMBLY OF NORTH CAROLINA  
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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



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.