

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 1180

Short Title: Sam's Law. (Public)

Sponsors: Representatives Jarvis, Horn, Hardister, and Clemmons (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Education - K-12, if favorable, Appropriations, if favorable, Rules, Calendar, and
Operations of the House

May 26, 2020

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 2020" 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) School unit. – A public school unit or a school that meets the requirements of
12 Part 1 or Part 2 of Article 39 of this Chapter.

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

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

25 (1) A written statement from the student's health care provider with all of the
26 following information:

27 a. The student's name.

28 b. Any seizure medication prescribed to the student.

29 c. The dosage and method of administering the seizure medication.

30 d. The frequency of administration of the seizure medication.

31 e. The symptoms necessitating administration of the seizure medication.

32 (2) A written statement from the parent indicating whether school personnel or
33 volunteers are permitted to administer the seizure medication to the student in



1 the applicable school year. This permission shall be renewed in each
2 subsequent school year the student attends a school in the school unit.

3 (3) If school personnel or volunteers who meet the training requirements of this
4 section are permitted to administer the seizure medication to the student, a
5 written statement that the parent will provide the school with at least one
6 unopened dosage of the medication with an intact pharmaceutical label. The
7 school shall store the medication in a safe and secure location accessible only
8 by school personnel or volunteers with training to administer seizure
9 medication in accordance with subsection (c) of this section.

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

18 (d) Seizure Education Program. – The governing body of each public school unit shall
19 adopt a policy outlining the requirements of a seizure education program for all school personnel
20 having direct contact with students in grades kindergarten through 12. The seizure education
21 program shall be administered on an annual basis in each public school unit and, at a minimum,
22 shall include information that meets the following requirements:

23 (1) Provides instructions in administering seizure medications.

24 (2) Provides the signs and symptoms of seizures and the appropriate steps to be
25 taken to respond to symptoms of a seizure.

26 (3) Is consistent with guidelines established by the Epilepsy Foundation of
27 America, Inc., or its successor.

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

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

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

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

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

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

43 **SECTION 3.(c)** G.S. 115C-218.75 is amended by adding a new subsection to read:

44 "(g) Seizure Policy. – A charter school shall adopt a policy regarding seizures in
45 accordance with G.S. 115C-375.7."

46 **SECTION 3.(d)** G.S. 115C-238.66 is amended by adding a new subdivision to read:

47 "(15) Seizure policy. – A regional school shall adopt a policy regarding seizures in
48 accordance with G.S. 115C-375.7."

49 **SECTION 3.(e)** G.S. 116-11 is amended by adding a new subdivision to read:

50 "(12f) The Board of Governors shall adopt a policy regarding seizures in accordance
51 with G.S. 115C-375.7 for all school units, as defined in that section, operated

1 under the control of a constituent institution of The University of North
2 Carolina."

3 **SECTION 3.(f)** Article 39 of Chapter 115C of the General Statutes is amended by
4 adding a new section to read:

5 **"§ 115C-548.5. Seizure policy.**

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

8 **SECTION 3.(g)** Article 39 of Chapter 115C of the General Statutes is amended by
9 adding a new section to read:

10 **"§ 115C-556.5. Seizure policy.**

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

13 **SECTION 4.** There is appropriated from the General Fund to the Department of
14 Public Instruction the sum of twenty thousand dollars (\$20,000) in nonrecurring funds for the
15 2020-2021 fiscal year to assist the State Board of Education with the development of its seizure
16 policy and with other costs associated with the implementation of this act. The State Board of
17 Education may share any materials or policy language it develops pursuant to Section 3(a) of this
18 act with the Board of Governors of The University of North Carolina and the Division of
19 Nonpublic Education, Department of Administration, to facilitate the development of other
20 seizure policies that are consistent with this act.

21 **SECTION 5.** This act becomes effective July 1, 2020, and applies beginning with
22 the 2021-2022 school year.