

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

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HOUSE BILL 288

Short Title: First Aid and Safety Training in Schools. (Public)

Sponsors: Representatives Henson, Torbett, Lewis, and Murphy (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, Education, if favorable,  
Appropriations, if favorable, Rules, Calendar, and Operations of the House

March 7, 2019

A BILL TO BE ENTITLED

AN ACT TO REQUIRE USE OF AUTOMATED EXTERNAL DEFIBRILLATORS AND BLEEDING CONTROL AS PART OF REQUIRED FIRST AID TRAINING FOR PUBLIC SCHOOL STUDENTS, TO REQUIRE INSTRUCTION IN FIRST AID AND EMERGENCY CARE EDUCATION IN HIGH SCHOOL, TO REQUIRE THAT FIRST AID TRAINING BE OFFERED TO ALL SCHOOL EMPLOYEES, TO REQUIRE THE PLACEMENT OF TRAUMA KITS IN PUBLIC SCHOOLS, TO REQUIRE A PRESENTATION ON THE USE AND LOCATION OF TRAUMA KITS DURING SCHOOL SAFETY EXERCISES, TO REQUIRE TRAINING OF SCHOOL PERSONNEL WHO ARE REASONABLY EXPECTED TO USE TRAUMA KITS, TO PROVIDE REQUIREMENTS CONCERNING THE MAINTENANCE OF TRAUMA KITS, AND TO PROVIDE CERTAIN IMMUNITY FROM CIVIL LIABILITY RELATED TO TRAUMA KITS.

The General Assembly of North Carolina enacts:

**PART I. FIRST AID TRAINING FOR ALL STUDENTS**

**SECTION 1.(a)** Article 8 of Chapter 115C of the General Statutes is amended by adding a new section to read:

**"§ 115C-81.22. First aid and emergency care education.**

(a) Instruction shall be provided in first aid and emergency care education from kindergarten through grade 12. First aid and emergency care shall include, but is not limited to, the teaching of the following:

(1) Cardiopulmonary resuscitation (CPR).

(2) Heimlich maneuver.

(3) Use of an automated external defibrillator, when equipment is available.

(4) Beginning in grade six, bleeding control.

(b) Instruction in cardiopulmonary resuscitation (CPR) and the Heimlich maneuver shall be given using hands-on training with mannequins so that students pass a test approved by the American Heart Association or the American Red Cross. For the purposes of this subsection, schools shall do all of the following:

(1) Use an instructional program developed by the American Heart Association, the American Red Cross, or other nationally recognized programs that is based on the most current national evidence-based emergency cardiovascular care guidelines for CPR.



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1           (2) Maintain documentation in an electronic database that students have  
2           successfully completed CPR instruction to meet healthful living essential  
3           standards.

4           (3) Require successful completion of instruction in CPR to be a requirement for  
5           high school graduation.

6           (c) Instruction in the use of an automated external defibrillator shall provide training in  
7           the appropriate use of an automated external defibrillator in heart-related emergencies, when  
8           equipment is available for training.

9           (d) Instruction in bleeding control shall provide training on the immediate response to  
10           bleeding, how to recognize life-threatening bleeding, and appropriate ways to stop the bleeding  
11           for immediate responders in trauma situations.

12           (e) The State Board of Education shall develop and maintain a recommended list of first  
13           aid and emergency care materials that include components for teacher training and ongoing  
14           assessment and evaluation to verify success and ensure the use of up-to-date information and  
15           strategies.

16           (f) The Department of Public Instruction shall do the following:

17           (1) Work to strengthen instructional offerings in the content and skill areas in  
18           which first aid and emergency care education is addressed.

19           (2) Develop curricular materials and resources that meet, extend, and supplement  
20           first aid and emergency care education as outlined in the standard course of  
21           study and the teacher handbook for the competency-based curriculum.

22           (3) Recommend to the State Board of Education any first aid and emergency care  
23           education support materials that should be removed from or added to the  
24           recommended list of curricular resources developed and maintained by the  
25           State Board of Education.

26           (g) Local boards of education may select supplemental first aid and emergency care  
27           education materials from the list maintained by the State Board of Education or develop their  
28           own supplemental materials to be approved by the State Board of Education.

29           (h) Local boards of education shall do the following:

30           (1) Implement an approved first aid and emergency care education as a primary  
31           part of their comprehensive health education program.

32           (2) Provide for ongoing evaluation of first aid and emergency care education  
33           resources to include participation in ongoing evaluations with the Department  
34           of Public Instruction.

35           (i) The Department of Public Instruction, in conjunction with local school administrative  
36           units, shall provide for professional development to train educators and support personnel to  
37           implement a comprehensive first aid and emergency care education program.

38           (j) Sequential, age-appropriate instruction shall be provided that includes all of the  
39           following:

40           (1) Reaches all students in all grades.

41           (2) Utilizes information that is current and accurate.

42           (3) Involves students in active "hands-on" learning experiences.

43           (4) Integrates first aid and emergency care education with other health and social  
44           issues and other subject and skill areas of the standard course of study.

45           (5) Includes strategies to involve parents, family members, and the community.

46           (6) Is continually open to revision, expansion, and improvement."

47           **SECTION 1.(b)** G.S. 115C-81.25(c)(10) reads as rewritten:

48           "~~(10) First aid and emergency care, care, including the teaching of cardiopulmonary~~  
49           ~~resuscitation (CPR) and the Heimlich maneuver by using hands-on training~~  
50           ~~with mannequins so that students pass a test approved by the American Heart~~

1 Association or American Red Cross. For the purposes of this subdivision,  
2 schools shall do all of the following:

- 3 a. ~~Use an instructional program developed by the American Heart~~  
4 ~~Association, the American Red Cross, or other nationally recognized~~  
5 ~~programs that is based on the most current national evidence-based~~  
6 ~~emergency cardiovascular care guidelines for CPR.~~  
7 b. ~~Maintain documentation in an electronic database that students have~~  
8 ~~successfully completed CPR instruction to meet healthful living~~  
9 ~~essential standards.~~  
10 e. ~~Require successful completion of instruction in CPR to be a~~  
11 ~~requirement for high school graduation by the 2014-2015 school year."~~

12 **SECTION 1.(c)** G.S. 115C-375.1 reads as rewritten:

13 **"§ 115C-375.1. To provide some medical care to students.**

14 (a) It is within the scope of duty of teachers, including substitute teachers, teacher  
15 assistants, student teachers, or any other public school employee when authorized by the board  
16 of education or its designee, designee to do any of the following:

- 17 (1) ~~(i) to administer~~ Administer any drugs or medication prescribed by a doctor  
18 upon written request of the ~~parents,~~ parents.  
19 (2) ~~(ii) to give~~ Give emergency health care when reasonably apparent  
20 circumstances indicate that any delay would seriously worsen the physical  
21 condition or endanger the life of the ~~pupil,~~ pupil.  
22 (3) ~~and (iii) to perform~~ Perform any other first aid or lifesaving techniques in  
23 which the employee has been trained in a program approved by the State  
24 Board of Education.

25 (b) No employee, however, shall be required to administer drugs or medication or attend  
26 lifesaving techniques programs.

27 (c) Each local board of education shall make available to employees annual instruction  
28 in first aid and lifesaving techniques. First aid and lifesaving techniques shall include, but are not  
29 limited to, the following:

- 30 (1) Cardiopulmonary resuscitation (CPR).  
31 (2) Heimlich maneuver.  
32 (3) Use of an automated external defibrillator, when equipment is available.

33 (d) Any public school employee, authorized by the board of education or its designee to  
34 act under ~~(i), (ii), or (iii) above,~~ subdivisions (1), (2), or (3) of subsection (a) of this section shall  
35 not be liable in civil damages for any authorized act or for any omission relating to that act unless  
36 the act or omission amounts to gross negligence, wanton conduct, or intentional wrongdoing.  
37 Any person, serving in a voluntary position at the request of or with the permission or consent of  
38 the board of education or its designee, who has been given the authority by the board of education  
39 or its designee to act under ~~(ii) above~~ subdivision (2) of subsection (a) of this section shall not be  
40 liable in civil damages for any authorized act or for any omission relating to the act unless the  
41 act amounts to gross negligence, wanton conduct, or intentional wrongdoing.

42 (e) At the commencement of each school year, but before the beginning of classes, and  
43 thereafter as circumstances require, the principal of each school shall determine which persons  
44 will participate in the medical care program."

45 **SECTION 1.(d)** Subsections (a) and (b) of this section are effective July 1, 2020,  
46 and apply beginning with the 2020-2021 school year.

## 47 **PART II. TRAUMA KITS IN SCHOOLS**

48 **SECTION 2.(a)** G.S. 115C-47 is amended by adding a new subdivision to read:

49 **"(64) To Require Trauma Kits. – In accordance with G.S. 115C-105.52A, each local**  
50 **board of education shall require the placement of at least one trauma kit in**  
51

1 each classroom of every school under the authority of the local school  
2 administrative unit."

3 **SECTION 2.(b)** G.S. 115C-12 is amended by adding a new subdivision to read:

4 "(47) Duty Regarding Trauma Kits. – In accordance with G.S. 115C-105.52A, the  
5 State Board of Education shall require the placement of at least one trauma kit  
6 in each classroom of every school located in a public school unit, as defined  
7 by that section, operated under the control of the State Board of Education."

8 **SECTION 2.(c)** G.S. 115C-218.75 is amended by adding a new subsection to read:

9 "(e2) Trauma Kits. – A charter school shall require the placement of at least one trauma kit  
10 in each classroom of the school in accordance with G.S. 115C-105.52A."

11 **SECTION 2.(d)** G.S. 115C-238.66 is amended by adding a new subdivision to read:

12 "(7f) Trauma Kits. – A regional school shall require the placement of at least one  
13 trauma kit in each classroom of the school in accordance with  
14 G.S. 115C-105.52A."

15 **SECTION 2.(e)** G.S. 116-11 is amended by adding a new subdivision to read:

16 "(12f) In accordance with G.S. 115C-105.52A, the Board of Governors shall require  
17 the placement of at least one trauma kit in each classroom of every school  
18 located in a public school unit, as defined by that section, operated under the  
19 control of the Board of Governors."

20 **SECTION 2.(f)** G.S. 115C-105.49(a) reads as rewritten:

21 "(a) At least once annually, each local school administrative unit shall require each school  
22 under its control to hold a full school-wide tabletop exercise and drill based on the procedures  
23 documented in its School Risk Management Plan (~~SRMP~~)-(SRMP), including a presentation on  
24 the location and use of any trauma kits placed in the school. The drill shall include a practice  
25 school lockdown due to an intruder on school grounds. Each school is encouraged to hold a  
26 tabletop exercise and drill for multiple hazards included in its SRMP. Schools are strongly  
27 encouraged to include local law enforcement agencies and emergency management agencies in  
28 their tabletop exercises and drills. The purpose of the tabletop exercises and drills shall be to  
29 permit participants to (i) discuss simulated emergency situations in a low-stress environment, (ii)  
30 clarify their roles and responsibilities and the overall logistics of dealing with an emergency, and  
31 (iii) identify areas in which the SRMP needs to be modified."

32 **SECTION 2.(g)** Article 8C of Chapter 115C of the General Statutes is amended by  
33 inserting a new section to read:

34 "**§ 115C-105.52A. Trauma kits.**

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

36 (1) Trauma kit. – A first aid response kit that is stored in a school in a public  
37 school unit and contains (i) at least all of the items listed in subsection (b) of  
38 this section and (ii) any, all, or none of the items listed in subsection (c) of this  
39 section.

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

41 a. A local school administrative unit.

42 b. A charter school.

43 c. A regional school.

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

46 1. The State Board of Education, including schools operated  
47 under Articles 7A and 9C of this Chapter.

48 2. The University of North Carolina, including schools operated  
49 under Articles 4, 29, and 29A of Chapter 116 of the General  
50 Statutes.

51 (b) Required contents. – A trauma kit shall contain at least all of the following items:

- 1           (1)    One combat application tourniquet.
- 2           (2)    One responder emergency trauma dressing at least 6 inches in length.
- 3           (3)    One compressed gauze.
- 4           (4)    Two pairs of nitrile gloves, size large.
- 5           (5)    One set of trauma shears, size 7 1/4 inch.
- 6           (6)    One small, permanent marker.
- 7           (7)    One tourniquet application instruction card.
- 8           (8)    One polyvinyl chloride bleeding control patch.
- 9           (9)    One nylon bag with the following minimum dimensions:
- 10           a.     A height of 7 inches.
- 11           b.     A width of 5 inches.
- 12           c.     A depth of 2 3/4 inches.
- 13           (10) Instructional documents developed by the Department of Public Instruction
- 14                 based on the Stop the Bleed national awareness campaign of the United States
- 15                 Department of Homeland Security.
- 16       (c)    Optional contents. – A trauma kit may contain, in the discretion of the principal or
- 17 equivalent administrator of the school, any of the following items:
- 18           (1)    One bleeding control dressing.
- 19           (2)    Two compact chest seals.
- 20           (3)    Other medical materials and equipment that meet all of the following
- 21                 requirements:
- 22                 a.     Can adequately treat a traumatic injury.
- 23                 b.     Can be stored in a readily available trauma kit.
- 24                 c.     Are approved by the Federal Commission on School Safety, the
- 25                 Combat Casualty Care Research Program of the United States Army
- 26                 Medical Research and Materiel Command, and the American College
- 27                 of Surgeons.
- 28       (d)    Location. – The governing body of each public school unit, in coordination with (i)
- 29 the superintendent or equivalent administrator of that unit, (ii) the principal or equivalent
- 30 administrator of each school within that unit, and (iii) local law enforcement and emergency
- 31 management agencies with jurisdiction, shall place at least one trauma kit at an appropriate and
- 32 easily accessible location in each classroom of every school within the unit.
- 33       (e)    Training. – All school personnel who are reasonably expected to use a trauma kit, as
- 34 determined by the superintendent or equivalent administrator of the public school unit, shall
- 35 complete training biannually on the appropriate use of a trauma kit. The Department of Public
- 36 Instruction and the Center for Safer Schools, in consultation with the Department of Public
- 37 Safety, shall provide or contract for adequate training on the use of trauma kits. At a minimum,
- 38 the training shall meet all of the following requirements:
- 39           (1)    Include an online learning management system, operated on a secure platform,
- 40                 that contains, at a minimum, all of the following information:
- 41                 a.     Instructor-led videos provided by nationally certified tactical medical
- 42                 instructors. For purposes of this section, the term "tactical medical
- 43                 instructor" includes licensed emergency medical physicians and
- 44                 trauma surgeons.
- 45                 b.     Instructor-led video instruction slides with options for multi-language
- 46                 captions in at least English, Spanish, German, French, Italian,
- 47                 Portuguese, and Chinese.
- 48                 c.     Multiple and varied video playback options.
- 49                 d.     Quiz material with performance tracking capability.
- 50                 e.     Individual certification and credentialing numbers for each participant.

1            f. A comment forum with 24-hour discussion monitoring in which  
2            instructors participate.

3            (2) Curriculum shall adhere to best practices for active shooter preparedness and  
4            response as provided by the Federal Bureau of Investigation, the Federal  
5            Commission on School Safety, and the United States Department of  
6            Homeland Security.

7            (3) Address the proper application of pressure to stop bleeding, the proper  
8            application of dressings and bandages, additional pressure techniques to  
9            control bleeding, and the proper application of tourniquets.

10           (4) Incorporate any training modules for active shooter preparedness and response  
11           recommended by the Federal Bureau of Investigation, the Federal  
12           Commission on School Safety, and the United States Department of  
13           Homeland Security. Training modules for active shooter preparedness and  
14           response shall be led by persons who have completed the Active Shooter  
15           Threat Instructor Training Program provided by the United States Department  
16           of Homeland Security.

17           (f) Inventory. – The principal or equivalent administrator of each school within a public  
18           school unit shall inspect every trauma kit in the school each year to ensure that materials,  
19           supplies, and equipment are not expired. The principal or equivalent administrator shall replace  
20           any expired materials, supplies, or equipment, as necessary.

21           (g) Online usage tool; restocking. – No later than January 1, 2020, the Department of  
22           Public Instruction shall create an online usage tool to permit principals or equivalent  
23           administrators within public school units to provide information on the use and contents of all  
24           trauma kits located in a school. After each use of a trauma kit, the principal or equivalent  
25           administrator shall replace any used materials, supplies, or equipment, as necessary, and inform  
26           the Department via the online usage tool of the date of the use, the reason for the use, and any  
27           components of the trauma kit that were replaced as a result. No later than August 1, 2021, and  
28           each year thereafter, the Department shall report the most up-to-date information provided via  
29           the online usage tool to the Joint Legislative Education Oversight Committee and the Fiscal  
30           Research Division.

31           (h) Liability. – No public school unit, nor its members, employees, designees, agents, or  
32           volunteers shall be liable in civil damages to any party for any act or omission related to the use  
33           of a trauma kit placed in a school in accordance with this section, unless that act or omission  
34           amounts to gross negligence, wanton conduct, or intentional wrongdoing."

35           **SECTION 2.(h)** There is appropriated from the General Fund to the Department of  
36 Public Instruction for the 2019-2020 fiscal year the sum of ten million dollars (\$10,000,000) in  
37 nonrecurring funds to provide, in accordance with this section, (i) at least one trauma kit in each  
38 classroom of every school located in a public school unit, as defined in G.S. 115C-105.52A(a)(2),  
39 as enacted by this section, (ii) training in the use of trauma kits, and (iii) an online usage tool to  
40 track use of trauma kits in public schools.

41           **SECTION 2.(i)** This section becomes effective July 1, 2019, and applies beginning  
42 with the 2019-2020 school year.

### 43 **PART III. EFFECTIVE DATE**

44           **SECTION 3.** Except as otherwise provided, this act is effective when it becomes law  
45 and applies beginning with the 2019-2020 school year.  
46