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**SUBSTITUTE SENATE BILL 5083**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Senate Early Learning & K-12 Education (originally sponsored by Senators McAuliffe, Litzow, Rolfes, McCoy, Billig, Darneille, Kohl-Welles, Frockt, and Fraser)

AN ACT Relating to the awareness of sudden cardiac arrest for students engaged in athletic activity; amending RCW 4.24.660 and 28A.195.010; adding a new section to chapter 28A.600 RCW; adding a new section to chapter 28A.320 RCW; and creating new sections.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  The legislature finds that sudden cardiac death is the result of an unexpected failure of proper heart function that may occur during or immediately after exercise. The legislature further finds that it has been reported that cardiac arrest is the leading cause of death in young athletes. The legislature finds that approximately one in two hundred fifty young athletes has a heart disorder that may increase his or her risk of sudden cardiac arrest. The legislature intends to make youth athletes, their families, and coaches aware of sudden cardiac arrest.

**Sec.**  RCW 4.24.660 and 2009 c 475 s 1 are each amended to read as follows:

(1) A school district shall not be liable for an injury to or the death of a person due to action or inaction of persons employed by, or under contract with, a youth program if:

(a) The action or inaction takes place on school property and during the delivery of services of the youth program;

(b) The private nonprofit group provides proof of being insured, under an accident and liability policy issued by an insurance company authorized to do business in this state, that covers any injury or damage arising from delivery of its services. Coverage for a policy meeting the requirements of this section must be at least fifty thousand dollars due to bodily injury or death of one person, or at least one hundred thousand dollars due to bodily injury or death of two or more persons in any incident. The private nonprofit shall also provide a statement of compliance with the policies for the management of concussion and head injury in youth sports as set forth in RCW 28A.600.190 and a statement of compliance with the policies for sudden cardiac arrest awareness as set forth in this act; and

(c) The group provides proof of such insurance before the first use of the school facilities. The immunity granted shall last only as long as the insurance remains in effect.

(2) Immunity under this section does not apply to any school district before January 1, 2000.

(3) As used in this section, "youth programs" means any program or service, offered by a private nonprofit group, that is operated primarily to provide persons under the age of eighteen with opportunities to participate in services or programs.

(4) This section does not impair or change the ability of any person to recover damages for harm done by: (a) Any contractor or employee of a school district acting in his or her capacity as a contractor or employee; or (b) the existence of unsafe facilities or structures or programs of any school district.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.600 RCW to read as follows:

(1) The Washington interscholastic activities association shall work with member schools' board of directors, a nonprofit organization that educates communities about sudden cardiac arrest in youth athletes, and the University of Washington medicine center for sports cardiology to develop and make available an online pamphlet that provides youth athletes, their parents or guardians, and coaches with information about sudden cardiac arrest. The online pamphlet must include information on the nature, risk, symptoms and warning signs, prevention, and treatment of sudden cardiac arrest. The online pamphlet shall be posted on the office of the superintendent of public instruction's web site.

(2) The Washington interscholastic activities association shall work with member schools' board of directors, an organization that provides educational training for safe participation in athletic activity, and the University of Washington medicine center for sports cardiology to make available an existing online sudden cardiac arrest prevention program for coaches.

(3) On a yearly basis, prior to participating in an interscholastic athletic activity a sudden cardiac arrest form stating that the online pamphlet was reviewed shall be signed by the youth athlete and the athlete's parents and/or guardian and returned to the school.

(4) Every three years, prior to coaching an interscholastic athletic activity coaches shall complete the online sudden cardiac arrest prevention program described in this section. Coaches shall provide a certificate showing completion of the online sudden cardiac arrest prevention program to the school.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.320 RCW to read as follows:

School districts shall hold an informational meeting at the beginning of each school year that reviews the nature, risk, symptoms and warning signs, prevention, and treatment of sudden cardiac arrest. Youth athletes, their parents or guardians, coaches, athletic trainers, school and team physicians, school nurses, and other school officials may attend the meeting. School districts may collaborate with nonprofit organizations that educate communities about sudden cardiac arrest in youth athletes to hold the informational meeting. The informational meeting required in this section may be incorporated within other annual meetings.

**Sec.**  RCW 28A.195.010 and 2009 c 548 s 303 are each amended to read as follows:

The legislature hereby recognizes that private schools should be subject only to those minimum state controls necessary to insure the health and safety of all the students in the state and to insure a sufficient basic education to meet usual graduation requirements. The state, any agency or official thereof, shall not restrict or dictate any specific educational or other programs for private schools except as hereinafter in this section provided.

Principals of private schools or superintendents of private school districts shall file each year with the state superintendent of public instruction a statement certifying that the minimum requirements hereinafter set forth are being met, noting any deviations. After review of the statement, the state superintendent will notify schools or school districts of those deviations which must be corrected. In case of major deviations, the school or school district may request and the state board of education may grant provisional status for one year in order that the school or school district may take action to meet the requirements. The state board of education shall not require private school students to meet the student learning goals, obtain a certificate of academic achievement, or a certificate of individual achievement to graduate from high school, to master the essential academic learning requirements, or to be assessed pursuant to RCW 28A.655.061. However, private schools may choose, on a voluntary basis, to have their students master these essential academic learning requirements, take the assessments, and obtain a certificate of academic achievement or a certificate of individual achievement. Minimum requirements shall be as follows:

(1) The minimum school year for instructional purposes shall consist of no less than one hundred eighty school days or the equivalent in annual minimum instructional hour offerings, with a school-wide annual average total instructional hour offering of one thousand hours for students enrolled in grades one through twelve, and at least four hundred fifty hours for students enrolled in kindergarten.

(2) The school day shall be the same as defined in RCW 28A.150.203.

(3) All classroom teachers shall hold appropriate Washington state certification except as follows:

(a) Teachers for religious courses or courses for which no counterpart exists in public schools shall not be required to obtain a state certificate to teach those courses.

(b) In exceptional cases, people of unusual competence but without certification may teach students so long as a certified person exercises general supervision. Annual written statements shall be submitted to the office of the superintendent of public instruction reporting and explaining such circumstances.

(4) An approved private school may operate an extension program for parents, guardians, or persons having legal custody of a child to teach children in their custody. The extension program shall require at a minimum that:

(a) The parent, guardian, or custodian be under the supervision of an employee of the approved private school who is certified under chapter 28A.410 RCW;

(b) The planning by the certified person and the parent, guardian, or person having legal custody include objectives consistent with this subsection and subsections (1), (2), (5), (6), and (7) of this section;

(c) The certified person spend a minimum average each month of one contact hour per week with each student under his or her supervision who is enrolled in the approved private school extension program;

(d) Each student's progress be evaluated by the certified person; and

(e) The certified employee shall not supervise more than thirty students enrolled in the approved private school's extension program.

(5) Appropriate measures shall be taken to safeguard all permanent records against loss or damage.

(6) The physical facilities of the school or district shall be adequate to meet the program offered by the school or district: PROVIDED, That each school building shall meet reasonable health and fire safety requirements. A residential dwelling of the parent, guardian, or custodian shall be deemed to be an adequate physical facility when a parent, guardian, or person having legal custody is instructing his or her child under subsection (4) of this section.

(7) Private school curriculum shall include instruction of the basic skills of occupational education, science, mathematics, language, social studies, history, health, reading, writing, spelling, and the development of appreciation of art and music, all in sufficient units for meeting state board of education graduation requirements.

(8) Each school or school district shall be required to maintain up-to-date policy statements related to the administration and operation of the school or school district.

All decisions of policy, philosophy, selection of books, teaching material, curriculum, except as in subsection (7) of this section provided, school rules and administration, or other matters not specifically referred to in this section, shall be the responsibility of the administration and administrators of the particular private school involved.

(9) Private schools shall hold an informational meeting regarding sudden cardiac arrest in accordance with section 4 of this act.

NEW SECTION. **Sec.**  This act may be known and cited as the sudden cardiac arrest awareness act.

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