CHAPTER 210

SENATE BILL 1654

AN ACT

AMENDING TITLE 15, CHAPTER 1, ARTICLE 5, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-160.02; RELATING TO SCHOOL SAFETY REQUIREMENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 15, chapter 1, article 5, Arizona Revised Statutes, is amended by adding section 15-160.02, to read:

15-160.02. Seizure management and treatment plans; requirements; immunity; online instruction; rules

A. Beginning in the 2022-2023 school year, the parent or guardian of a student who has a seizure disorder and who is enrolled in a school that is operated by a school district or a charter school in this state may submit to the school district or charter school in which the student is enrolled a copy of a seizure management and treatment plan for school personnel to use if the student suffers a seizure at school or while participating in a school-sponsored activity. The plan must be developed by the student's parent or guardian and the physician or registered nurse practitioner as defined in section 32-1601 responsible for the student's seizure treatment. The plan must be submitted to and reviewed by the school district or charter school:

1. Before or at the beginning of the school year.
2. If the student enrolls in the school district or charter school after the beginning of the school year, when the student enrolls.
3. As soon as practicable following a diagnosis of the student's seizure disorder.

B. A seizure management and treatment plan must meet all of the following requirements:

1. Outline procedures recommended by the physician or registered nurse practitioner as defined in section 32-1601 responsible for the student's seizure treatment to manage an active seizure if the student suffers a seizure at school or while participating in a school-sponsored activity.

2. Outline other health care services available at the school that the student may receive to help to manage the student's seizure disorder at school or while participating in a school-sponsored activity.

3. Be signed by the student's parent or guardian and the physician or registered nurse practitioner as defined in section 32-1601 responsible for the student's seizure treatment.

C. A school nurse who is employed by or under contract with a school district or charter school shall review each seizure management and treatment plan. If a school nurse is not available, the school district or charter school shall designate an employee who is responsible for reviewing seizure management and treatment plans.

D. School districts, charter schools, employees of school districts or charter schools and nurses who are under contract with a school district or charter school are immune from civil liability with respect to all decisions made and actions taken that are based on good faith implementation of a seizure management and treatment plan submitted...
Pursuant to this section, including an action or failure to act in administering a medication, assisting with self-administration or otherwise providing for the care of a student under a seizure management and treatment plan submitted for the student under this section, except in cases of gross negligence, wilful misconduct or intentional wrongdoing.

E. A school nurse who is employed by or under contract with a school district or charter school that has received a seizure management and treatment plan shall complete an online course of instruction for school nurses regarding managing students with seizure disorders. The course must be approved by the state board of education and include information about seizure recognition and related first aid. The training prescribed in this subsection may not be required more than once in a five-year period.

F. A school principal, guidance counselor, teacher, bus driver or classroom aide whose duties at the school include regular contact with students who have submitted a seizure management and treatment plan shall complete an online course of instruction for school personnel regarding awareness of students with seizure disorders. The course must be approved by the state board of education and include information about seizure recognition and related first aid. The training prescribed in this subsection may not be required more than once in a five-year period.

G. A school district or charter school complies with this section if a student requires an educational accommodation under section 504 of the Rehabilitation Act of 1973 (P.L. 93–112; 87 Stat. 355; 29 United States Code Section 794) and the student's accommodation plan includes a seizure management and treatment plan.

H. Beginning September 1, 2023, each charter school and school that is operated by a school district shall have at least one school employee at the school other than a school nurse who has met the training requirements necessary to administer or assist with the self-administration of both of the following:

1. A seizure rescue medication or a medication prescribed to treat seizure disorder symptoms as approved by the United States Food and Drug Administration, or its successor agency.

2. A manual dose of prescribed electrical stimulation using a vagus nerve stimulator magnet as approved by the United States Food and Drug Administration, or its successor agency.

I. Not later than December 1, 2022, the state board of education shall approve an online course of instruction that is provided free of charge by a nonprofit national foundation and that supports the welfare of individuals with epilepsy and seizure disorders to satisfy the training required by subsections E and F of this section.

J. The state board of education shall adopt rules as necessary to administer this section.