

**CHAPTER 208****( HB 169 )**

AN ACT relating to emergency medical preparedness of schools.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 158.162 is amended to read as follows:

- (1) As used in this section:
    - (a) "Emergency management response plan" or "emergency plan" means a written document to prevent, mitigate, prepare for, respond to, and recover from emergencies; and
    - (b) "First responders" means local fire, police, and emergency medical personnel.
  - (2) (a) Each local board of education shall require the school council or, if none exists, the principal in each school building in its jurisdiction to adopt an emergency plan. The emergency plan shall include:
    1. Procedures to be followed in case of medical emergency, fire, severe weather, earthquake, or a building lockdown as defined in KRS 158.164;
    2. A written cardiac emergency response plan; and
    3. A diagram of the facility that clearly identifies the location of each automated external defibrillator.
  - (b) The emergency plan shall be provided to appropriate first responders and all school staff.
  - (c) The emergency plan shall be reviewed following the end of each school year by the school nurse, school council, the principal, and first responders and revised as needed.
  - (d) The principal shall discuss the emergency plan with all school staff prior to the first instructional day of each school year and document the time and date of any discussion.
  - (e) The cardiac emergency response plan shall be rehearsed by simulation prior to the beginning of each athletic season by all:
    1. Licensed athletic trainers, school nurses, and athletic directors; and
    2. Interscholastic coaches and volunteer coaches of each athletic team active during that athletic season.
  - (f) The emergency plan shall be excluded from the application of KRS 61.870 to 61.884.
- (3) Each local board of education shall require the school council or, if none exists, the principal in each school building to:
  - (a) Establish primary and secondary evacuation routes for all rooms located within the school and shall post the routes in each room by any doorway used for evacuation;
  - (b) Identify the best available severe weather safe zones, in consultation with local and state safety officials and informed by guiding principles set forth by the National Weather Service and the Federal Emergency Management Agency, and post the location of safe zones in each room of the school;
  - (c) Develop practices for students to follow during an earthquake;
  - (d) Develop and adhere to practices to control the access to each school building. Practices shall include but not be limited to:
    1. Controlling outside access to exterior doors during the school day;
    2. Controlling the main entrance of the school with electronically locking doors, a camera, and an intercom system;
    3. Controlling access to individual classrooms;

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4. Requiring classroom doors to be equipped with hardware that allows the door to be locked from the outside but opened from the inside;
  5. Requiring classroom doors to remain closed and locked during instructional time, except:
    - a. In instances in which only one (1) student and one (1) adult are in the classroom; or
    - b. When approved in writing by the state school security marshal;
  6. Requiring classroom doors with windows to be equipped with material to quickly cover the window during a building lockdown;
  7. Requiring all visitors to report to the front office of the building, provide valid identification, and state the purpose of the visit; and
  8. Providing a visitor's badge to be visibly displayed on a visitor's outer garment;
- (e) Maintain a portable automated external defibrillator in a public, readily accessible, well-marked location in every ~~middle and high~~ school building and, as funds become available, at school-sanctioned ~~middle and high school~~ athletic practices and competitions and:
1. Adopt procedures for the use of the portable automated external defibrillator during an emergency;
  2. Adopt policies for compliance with KRS 311.665 to 311.669 on training, maintenance, notification, and communication with the local emergency medical services system;
  3. Ensure that a minimum of three (3) employees in the school and all interscholastic athletic coaches be trained on the use of a portable automated external defibrillator in accordance with KRS 311.667; ~~and~~
  4. Ensure that all interscholastic athletic coaches maintain a cardiopulmonary resuscitation certification recognized by a national accrediting body on heart health; and
  5. ***No later than November 1 of each school year, submit an annual report to the Kentucky Department of Education on:***
    - a. ***The number and location of each portable automated external defibrillator in every school building;***
    - b. ***The name, school, and training date of each school district employee and interscholastic athletic coach in the district trained in the use of a portable automated external defibrillator; and***
    - c. ***The progress made towards having a portable automated external defibrillator at all school-sanctioned athletic practices and competitions; and***
- (f) Require development of an event-specific emergency action plan for each school-sanctioned nonathletic event held off-campus to be used during a medical emergency, which may include the provision of a portable automated external defibrillator. The plan shall:
1. Include a delineation of the roles of staff and emergency personnel, methods of communication, any assigned emergency equipment including a portable automated external defibrillator, a cardiac emergency response plan, and access to and plan for emergency transport; and
  2. Be in writing and distributed to any member of school personnel attending the school-sanctioned event in an official capacity.
- (4) All schools shall be in compliance with the provisions of subsection (3)(d) of this section no later than July 1, 2022.
- (5) (a) Each local board of education shall require the principal in each public school building in its jurisdiction to conduct, at a minimum, emergency response drills to include:
1. One (1) severe weather drill, one (1) earthquake drill, and one (1) lockdown drill within the first thirty (30) instructional days of each school year and again during the month of January; and
  2. The emergency response plan rehearsal by simulation required by subsection (2) of this section and the venue-specific emergency action plan rehearsal by simulation required by KRS 160.445(5) prior to the beginning of each athletic season.

- (b) Required fire drills shall be conducted according to administrative regulations promulgated by the Department of Housing, Buildings and Construction. Whenever possible, first responders shall be invited to observe emergency response drills.
- (6) No later than November 1 of each school year, a local district superintendent shall send verification to the Kentucky Department of Education that all schools within the district are in compliance with the requirements of this section.
- (7) A district with a school not in compliance with the requirements of subsection (3)(d) of this section by July 1, 2022, shall not be eligible for approval by the Kentucky Department of Education for new building construction or expansion in the 2022-2023 school year and any subsequent year without verification of compliance, except for facility improvements that specifically address the school safety and security requirements of this section, when deemed necessary for the protection of student or staff health and safety, or to comply with other legal requirements or orders.

➔Section 2. KRS 158.1622 is amended to read as follows:

- (1) There is hereby created a trust and agency account to be known as the school AED fund to be administered by the Cabinet for Health and Family Services, in collaboration with the Department of Education. Amounts deposited in the fund shall be used for the purpose of awarding needs-based grants to public schools for:
  - (a) The purchase and maintenance of portable automated external defibrillators *and other medical devices used to diagnose, prevent, or treat a medical condition that is harmful to student athletes*; and
  - (b) The provision of cardiopulmonary resuscitation training.
- (2) The school AED fund shall consist of any:
  - (a) Appropriations designated for the fund;
  - (b) Funds, grants, and receipts from fundraising activities on behalf of the fund; and
  - (c) Other moneys made available for the purposes of the fund.
- (3) Notwithstanding KRS 45.229, fund amounts not expended at the close of a fiscal year shall not lapse but shall be carried forward into the next fiscal year.
- (4) Any interest earnings of the fund shall become a part of the fund and shall not lapse.
- (5) Moneys deposited in the fund are hereby appropriated for the purposes set forth in this section and shall not be appropriated or transferred by the General Assembly for any other purposes.
- (6) Nothing in this section shall be interpreted to restrict the ability of a school or school district to accept direct private donations for the purchase or maintenance of an automated external defibrillator *or other medical device used to diagnose, prevent, or treat a medical condition that is harmful to student athletes*.

**Signed by Governor April 18, 2024.**