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**SB-722 Pupil safety: swimming pools: adult presence: cardiopulmonary resuscitation training.** (2021-2022)

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**Senate Bill No. 722**

**CHAPTER 679**

An act to amend Section 35179.6 of the Education Code, relating to pupil safety.

[ Approved by Governor October 08, 2021. Filed with Secretary of State October 08, 2021. ]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 722, Melendez. Pupil safety: swimming pools: adult presence: cardiopulmonary resuscitation training.

Existing law states the intent of the Legislature to establish a California High School Coaching Education and Training Program administered by school districts that emphasizes, among other things, certification in cardiopulmonary resuscitation (CPR) and first aid. Existing law requires each high school sports coach to complete a coaching education program developed by the coach's school district or the California Interscholastic Federation (CIF) that meets specified guidelines. Existing law describes the CIF as a voluntary organization that consists of school and school-related personnel with responsibility for administering interscholastic athletic activities in secondary schools.

If a school district or charter school elects to sponsor or host, in or around a swimming pool, an on-campus event that is not part of an interscholastic athletic program, this bill would require the school district or charter school to require at least one adult with a valid certification of CPR training to be present throughout the duration of the event.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** This act shall be known, and may be cited, as Alex's Law.

**SEC. 2.** Section 35179.6 of the Education Code is amended to read:

**35179.6.** (a) For purposes of this section, "AED" means an automated external defibrillator.

(b) (1) Commencing July 1, 2019, if a school district or charter school elects to offer any interscholastic athletic program, the school district or the charter school shall acquire at least one AED for each school that participates in the program within the jurisdiction of the school district or the charter school. The school district or the charter school is encouraged to ensure that the AED or AEDs are available for the purpose of rendering emergency care or treatment within a recommended three to five minutes of sudden cardiac arrest to pupils, spectators, and any other individuals in attendance at the athletic program's on-campus activities or events, and shall ensure that the AED or AEDs are available to athletic trainers and coaches and authorized persons at these activities or events.

(2) If a school district or charter school elects to sponsor or host, in or around a swimming pool, an on-campus event that is not part of an interscholastic athletic program, the school district or charter school shall require at least one adult with a valid certification of cardiopulmonary resuscitation training to be present throughout the duration of the event. The presence of an adult with cardiopulmonary resuscitation training, as mandated by the California Interscholastic Federation coaching education program requirements, would satisfy this paragraph.

(c) Subdivision (b) of Section 49417 applies for purposes of determining if an employee of a school district is liable for any civil damages resulting from the employee's use, attempted use, or nonuse of an AED in the rendering of emergency care or treatment pursuant to this section.

(d) Subdivision (c) of Section 49417 applies for purposes of determining if a public school or school district is liable for any civil damages resulting from any act or omission in the rendering of emergency care or treatment pursuant to this section.

(e) Except as provided in subdivision (g), if an employee of a charter school complies with Section 1714.21 of the Civil Code in rendering emergency care or treatment through the use, attempted use, or nonuse of an AED at the scene of an emergency, the employee is not liable for any civil damages resulting from any act or omission in the rendering of the emergency care or treatment.

(f) Except as provided in subdivision (g), if a charter school complies with the requirements of Section 1797.196 of the Health and Safety Code, the charter school is covered by Section 1714.21 of the Civil Code, and is not liable for any civil damages resulting from any act or omission in the rendering of the emergency care or treatment.

(g) Subdivisions (e) and (f) do not apply in the case of personal injury or wrongful death that results from gross negligence or willful or wanton misconduct on the part of the person who uses, attempts to use, or fails to use an AED to render emergency care or treatment.

(h) In order to ensure public safety, each school district or charter school that elects to offer any interscholastic athletic program shall ensure that its AED or AEDs are maintained and regularly tested according to the operation and maintenance guidelines set forth by the manufacturer, the American Heart Association, or the American Red Cross, and according to any applicable rules and regulations set forth by the governmental authority under the federal Food and Drug Administration and any other applicable state and federal authority.

(i) This section does not alter the requirements of Section 1797.196 of the Health and Safety Code.