

ARKANSAS DEPARTMENT OF EDUCATION DIVISION OF ELEMENTARY AND SECONDARY EDUCATION RULES GOVERNING SCHOOL-BASED AUTOMATED EXTERNAL DEFIBRILLATOR (AED) DEVICES AND CARDIOPULMONARY RESUSCITATION (CPR) PROGRAMS IN ARKANSAS PUBLIC SCHOOLS
May 2010

1.0 PURPOSE

1.01 The purpose of these Rules is to establish the requirements and procedures for Governing school-based Automated External Defibrillator (AED) devices and Cardiopulmonary Resuscitation (CPR) programs in Arkansas Public Schools.

2.0 REGULATORY AUTHORITY

2.01 These Rules are promulgated pursuant to Ark. Code Ann. §§ 6-11-105, 6-10-122, and 6-10-123, and Act 496 of 2009.

3.0 DEFINITIONS

For the purpose of these Rules, the following terms mean:

3.01 **Arkansas Public Schools:** includes all public and charter schools;

3.02 **AED:** Automated External Defibrillator means a device that:

3.02.1 Is used to administer an electric shock through the chest wall to the heart;

3.02.2 Has built-in computers within the device to assess the patient's heart rhythm and judge whether defibrillation is needed;

3.02.3 Has audible or visual prompts, or both, to guide the user through the process;

3.02.4 Has received approval from the United States Food and Drug Administration of its pre-market modification, filed pursuant to 21 U.S.C. 360(k);

3.02.5 Is capable of recognizing the presence or absence of ventricular fibrillation and rapid ventricular tachycardia and is capable of determining without intervention by an operator whether defibrillation should be performed; and

3.02.6 Upon determining if the defibrillation should be performed, the AED either automatically charges and delivers an electrical impulse to an individual's heart or charges and delivers an electrical impulse at the

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command of the operator.

- 3.03 **CPR/AED Provider:** A member or employee of a campus who has completed training in CPR in addition to knowledge and understanding of an AED's operation and use under the requirements set forth in this regulation.
- 3.04 **Cardiac arrest:** A condition, often sudden, that is due to abnormal heart rhythms called arrhythmias. It is generally the result of some underlying form of heart disease.
- 3.05 **Cardiopulmonary Resuscitation (CPR):** A combination of rescue breathing, ~~and~~ chest compressions, and external cardiac massage used to sustain a person's life until advanced assistance arrives.
- 3.07 **Defibrillation:** Administering the electrical impulse to an individual's heart in order to stop ventricular fibrillation or rapid ventricular tachycardia.
- 3.08 **Department:** Arkansas Department of Education
- 3.09 **Emergency Medical Services (EMS):** The transportation and medical care provided the ill or injured prior to arrival at a medical facility by a licensed emergency medical technician or other health care provider and continuation of the initial emergency care within a medical facility subject to the approval of the medical staff and governing board of that facility.
- 3.10 **Extra-curricular event:** Any school sponsored program or voluntary activity sponsored by the school, local education agency, or an organization sanctioned by the local education agency where students are competing for the purpose of receiving an award, rating, recognition, or criticism, or qualification for additional competition or including preparation for and involvement in public performances, contests, athletic competitions, demonstrations, displays and club activities.
- 3.11 **FDA:** Federal Food and Drug Administration
- 3.12 **School-Personnel:** School Board approved/contract employee of the district that is required to follow school policy and procedures.
- 3.13 **Program Coordinator:** An individual, appointed by the school district, who is responsible for administration of the Automated External Defibrillation program for their respective campus.
- 3.14 **Protocol:** Currently approved and accepted procedures describing specific steps a provider must follow in assessing and treating a patient.
- 3.15 **Renewal:** Period training and demonstration of competence in the application and use of automated defibrillation equipment.

- 3.17 **School campus:** Any public school building or cluster of buildings, including grounds, with an ADE-issued LEA number, that is used for any purpose, including, without limitation: an extracurricular activity, organized physical activity course defined in Ark. Code Ann. § 6-16-137, pre-kindergarten education, or district administration.
- 3.18 **School sponsored event;** Any event or activity sponsored by the school or school system which includes but is not limited to athletic events, booster clubs, parent-teacher organizations, or any activity designed to enhance the school curriculum whether on school-campus or not.
- 3.19 **Sudden Cardiac Arrest (SCA):** SCA is a sudden or unexpected cessation of heart function, most often caused by a sudden arrhythmia, such as ventricular fibrillation (VF). When this occurs, the heart's electrical impulses suddenly become chaotic and ineffective. Blood flow to the brain abruptly stops and the victim collapses and quickly loses consciousness. Death usually follows unless a normal heart rhythm is restored within minutes.
- 3.20 **Ventricular Fibrillation (VF):** The most common arrhythmia that causes cardiac arrest. It is a condition in which the heart's electrical impulses suddenly become chaotic, often without warning, causing the heart's pumping action to stop abruptly.

4.0 REQUIREMENTS

- 4.01 Each school campus must have an Automated External Defibrillator ~~on or before May 31, 2011;~~ and
- 4.02 ~~Appropriate school personnel must be adequately trained on or before May 31, 2011 as outlined in 9.0 Quality Training.~~
- 4.03 ~~After May 31, 2011,~~ Appropriate school personnel must be adequately trained on an ongoing basis as outlined in Section 9.0 of these Rules.

5.0 AUTOMATED EXTERNAL DEFIBRILLATOR MODEL

- 5.01 Defibrillators acceptable for use in Arkansas public schools are:
- 5.01.1 Federal Drug Administration (FDA) approved;
- 5.01.2 Automated type requiring provider intervention to initiate a defibrillation shock; and
- 5.01.3 Capable of automatically collecting data.

5.02 No modifications will be made to defibrillation equipment, by the provider or the service, which results in:

5.02.1 Deviation from the original manufacturer's specifications, or

5.02.2 Deviation from AED protocols which are: Early access- calling 911; Early CPR - starting CPR immediately; Early Defibrillation - utilizing the onsite AED within 3-5 minutes of onset; and Early Advanced Care - trained health care providers arriving to provide advanced care.

6.0 DEFIBRILLATOR PREVENTATIVE MAINTENANCE/REPAIR

6.01 Each school district shall designate appropriate personnel to be responsible for the maintenance of the AED(s).

6.02 All components of the AED and integrated data recording system shall be inspected by a qualified service technician at least one (1) time per calendar year or as recommended by the manufacturer to ensure:

6.02.1 The equipment meets original manufacturer's specifications;

6.02.2 The equipment maintains the currently approved treatment protocols based on the current American Heart Association scientific guidelines, standards, and recommendations for the use of the AED.

6.03.2 The battery of the AED shall be maintained and replaced in accordance with manufacturer's specifications.

6.03.3 All maintenance and repairs shall be performed by a qualified service technician recognized by the manufacturer.

6.03.4 Written records shall be maintained for all maintenance, repairs, and inspections performed on all components for mandated annual state reporting purposes.

7.0 AVAILABILITY OF AUTOMATED EXTERNAL DEFIBRILLATOR

7.01 Each school shall designate appropriate personnel to be responsible for ensuring the availability of the AED.

7.02 The location of AED's shall be based on the following:

7.02.1. Size and physical layout of the buildings;

7.02.2 Number and ages of individuals in the building;

- 7.02.3 Types and locations of curricular, extracurricular, and school-sponsored events;
 - 7.02.4 Design features that might be unique to the building; and
 - 7.02.5 Each school shall report, in a format approved by the Department, maintenance records and any use of an AED.
- 7.03 During school hours, the AED will be placed at designated locations.
- 7.03.1 These locations shall be specific to each school but should allow the device to be easily seen and accessed by staff.
 - 7.03.2 The locations should allow staff members to retrieve the device outside of normal school hours.
- 7.04 AEDs shall not be located or stored in a locked office or room.**

8.0 SCHOOL APPOINTED PROGRAM COORDINATOR

- 8.01 The school appointed program coordinator shall:
- 8.01.1 Maintain current provider status in CPR/AED;
 - 8.01.2 Assure that the CPR/AED providers on campus receive appropriate training in the use and maintenance of the school's AED(s);
 - 8.01.3 Oversee training operations for the school and maintain organizational training reports;
 - 8.01.4 Ensure AED equipment is maintained according to manufacturer and treatment protocol specifications based on the current American Heart Association scientific guidelines, standards, and recommendations for the use of the AED;
 - 8.01.4.1 This includes, but is not limited to, ensuring that AED pads and batteries have not expired;**
 - 8.01.5 Provide professional development opportunities annually for AED providers and all school employees, if applicable;
 - 8.01.6 Verify credentials of personnel functioning as an AED provider within the school; and
 - 8.01.7 Review each use of the AED.

8.02 If the Program Coordinator is not a healthcare provider, a healthcare provider must oversee these activities.

9.0 QUALITY TRAINING

- 9.01 Appropriate training of anticipated rescuers in the use of the AED and in CPR will incorporate at least the following:
- 9.01.1 Testing of psychomotor skills based on the American Heart Association scientific guidelines, standards, and recommendations for the use of the AED, as they existed on ~~January 1, 2009;~~ January 1, 2021; and
 - 9.01.2 Providing CPR as published by the American Heart Association, or the American Red Cross, or in equivalent course materials as they existed on January 1, 2009; January 1, 2021;
 - 9.01.3 Coordination with the emergency medical services system; and
 - 9.01.4 An ongoing quality improvement program to monitor training and evaluate response with each use of an AED.

10.0 PROFESSIONAL DEVELOPMENT REQUIREMENTS

- 10.01 Automated external defibrillator and cardiopulmonary resuscitation training shall count fully toward the existing professional development requirements for teachers and school personnel as noted in the Arkansas Department of Education Rules Governing Professional Development.

11.0 REPORTING

- 11.01 ~~Beginning in the year of 2011,~~ The Commissioner of Elementary and Secondary Education shall provide a report to the Senate Committee on Public Health, Welfare, and Labor and the House committee on Public Health, Welfare, and Labor on or before July 1; of each year.
- 11.02 Schools shall annually report to ADE; the Division of Elementary and Secondary Education ~~11.01.1 The~~ the implementation of these Rules and status of the AED availability on each school campus will be reported annually by May 1, to the Department of Education;
- ~~11.02~~ 11.03 ~~The~~ An AED Incident Report Form shall be completed and submitted to the ~~Director of Special Programs~~ School Health Services Director within thirty (30) days following an event. This form shall include:
- ~~11.02.1~~ Relevant ~~relevant~~ information regarding the incidence and use of the AED and the client outcome.

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021

As Engrossed: S3/3/21

A Bill

SENATE BILL 64

4
5 By: Senator Irvin
6

For An Act To Be Entitled

8 AN ACT TO AMEND VARIOUS PROVISIONS OF THE ARKANSAS
9 CODE CONCERNING PUBLIC EDUCATION; AND FOR OTHER
10 PURPOSES.
11

Subtitle

12
13 TO AMEND VARIOUS PROVISIONS OF THE
14 ARKANSAS CODE CONCERNING PUBLIC
15 EDUCATION.
16
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. Arkansas Code § 6-10-122(a)(1), concerning the automated
22 external defibrillator requirement, is amended to read as follows:

23 (a)(1) The State Board of Education shall promulgate rules to require
24 that:

25 (A) Each school campus have an automated external
26 defibrillator; and

27 ~~(B) Appropriate school personnel be adequately trained on~~
28 ~~or before May 31, 2011; and~~

29 ~~(C)(B) After May 31, 2011, appropriate~~ Appropriate school
30 personnel be adequately trained on an ongoing basis.
31

32 SECTION 2. Arkansas Code § 6-10-122(c), concerning the automated
33 external defibrillator requirement, is amended to read as follows:

34 (c) ~~Beginning in 2011, the~~ The Commissioner of Elementary and
35 Secondary Education shall provide a report to the Senate Committee on Public
36 Health, Welfare, and Labor and the House Committee on Public Health, Welfare,



1 and Labor on or before July 1 each year regarding the implementation of this
2 section and the status of automated external defibrillator availability on
3 each school campus.

4
5 SECTION 3. Arkansas Code § 6-10-123(a)(3), concerning school-based
6 automated external defibrillator and cardiopulmonary resuscitation programs,
7 is amended to read as follows:

8 (3) Testing of psychomotor skills based on the American Heart
9 Association scientific guidelines, standards, and recommendations for the use
10 of the automated external defibrillator, as they existed on ~~January 1, 2009,~~
11 January 1, 2021, and for providing cardiopulmonary resuscitation as published
12 by the American Heart Association, or the American Red Cross as they existed
13 on January 1, 2021, or in equivalent course materials, ~~as they existed on~~
14 January 1, 2009;

15
16 SECTION 4. Arkansas Code § 6-10-127(b)(1), concerning making up missed
17 school days, is amended to read as follows to update an outdated reference:

18 (b)(1) The Commissioner of Elementary and Secondary Education may
19 grant up to the equivalent of ten (10) student attendance days for public
20 school districts that have an alternative instruction plan approved by the
21 commissioner for the use of alternative methods of instruction, including
22 without limitation virtual learning, on days when the public school district
23 is closed due to exceptional or emergency circumstances such as:

24 (A) A contagious disease outbreak, inclement weather, or
25 other acts of God; or

26 (B) A utility outage.

27
28 SECTION 5. Arkansas Code § 6-13-102 is amended to read as follows:
29 6-13-102. Body corporate – Name.

30 (a) Each school district in the state shall be a body corporate, may
31 contract and be contracted with, and may sue and be sued in its corporate
32 name, which shall be the name it ~~now~~ currently has unless changed by the
33 State Board of Education.

34 ~~(b) A certificate showing the name authenticated by the state board~~
35 ~~shall be filed with the county clerk of the county or of each county in which~~
36 ~~there is any territory of the school district and by him or her inscribed in~~