AMENDED

January 26, 2022

**H. 3464**

Introduced by Reps. Gilliam, Pope, Caskey, Huggins, Rivers, S. Williams, Felder, Forrest and Govan

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Read the first time January 12, 2021.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “SEIZURE SAFE SCHOOLS ACT” BY ADDING SECTION 59‑63‑97 SO AS TO REQUIRE THE ESTABLISHMENT OF SEIZURE ACTION PLANS IN PUBLIC SCHOOLS, AND TO PROVIDE REQUIREMENTS FOR SUCH PLANS AND THEIR IMPLEMENTATION, AMONG OTHER THINGS.

Amend Title To Conform

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. This act must be known and may be cited as the “Seizure Safe Schools Act”.

SECTION 2. Article 1, Chapter 69, Title 59 of the 1976 Code is amended by adding:

“Section 59‑63‑97. (A) As used in this section, ‘seizure action plan’ means a written, individualized health plan between a school and the parent or legal guardian of a student who is diagnosed with a seizure disorder. Such a plan must acknowledge the health care needs of the student, prepare both parties to meet those needs, and apply over the course of a school year.

(B)(1) The parent or legal guardian of a student may petition a school the student attends for the development of a seizure action plan for the student if the student is:

(a) diagnosed with a seizure disorder; and

(b) enrolled in the school.

Upon receipt of the parent or legal guardian’s petition, the school and parent or legal guardian shall develop a plan in accordance with the provisions of this section.

(2) A school shall keep each seizure action plan on file in the office of a school administrator or school nurse employed by the school, if any, and make the plan available to school personnel and, with the permission of the parent or legal guardian of the student, a volunteer responsible for the supervision of the student. The parent or guardian and the school shall develop the seizure action plan consistent with policies and procedures developed by the governing body of the school. At a minimum, the plan must include:

(a) a written statement from the health care provider of the student with:

(i) the name of the student;

(ii) seizure medication prescribed to the student;

(iii) the dosage and method of administering the seizure medication;

(iv) the frequency of administration of the seizure medication; and

(v) the symptoms necessitating administration of the seizure medication;

(b) a written statement from the parent or legal guardian indicating whether school personnel or volunteers are permitted to administer the seizure medication to the student in the applicable school year, which must be renewed in each subsequent school year the student attends the school; and

(c) if school personnel or volunteers who meet the training requirements of this section are permitted to administer the seizure medication to the student, a written statement that the parent or legal guardian will provide the school with at least one, unopened dosage of the medication with an intact pharmaceutical label. The school shall store the medication in a safe and secure location accessible only by school personnel or volunteers with training to administer seizure medication in accordance with subsection (C).

(C) In instances where a student needs seizure medication, the school nurse has primary responsibility for the administration of the medication. In the event the school nurse is not available for any reason, at least one other employee in each school must be trained to administer or assist with the self‑administration of seizure medication provided to the school pursuant to subsection (B). Each school district shall adopt minimum training requirements for these employees and for any volunteer that may supervise students with seizure disorders if the volunteer elects to receive the training. The training requirements must be consistent with training guidelines established by the Epilepsy Foundation of America, Inc., or its successor.

(D) Each school district shall adopt a policy outlining the requirements of a seizure education program for all school personnel having direct contact with students in grades kindergarten through twelve. The seizure education program must be administered on an annual basis in each public school and, at a minimum, must:

(1) provide instruction in administering seizure medications;

(2) provide instruction in recognizing signs and symptoms of seizures and the appropriate steps to be taken to respond to symptoms of a seizure; and

(3) be consistent with guidelines established by the Epilepsy Foundation of America, Inc., or its successor.

(E) Each school district shall:

(1) adopt a policy requiring all principals, guidance counselors, and teachers in the school to complete at least one hour of self‑study review of seizure disorder materials each school year; and

(2) select the materials for study in accordance with current practices and standards.

(F) The State Department of Education shall develop an informational poster on seizure first aid which it must provide online to all public and private schools at no charge. Each public school shall display at least one such poster in at least one visible, high‑traffic area in the school. The placement of such poster is in the sole discretion of the school.

(G) The State Board of Education shall develop a policy regarding seizures for all schools operated under the control of the board.”

SECTION 3. This act takes effect July 1, 2022.

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