
SUBSTITUTE SENATE BILL 5083

State of Washington

64th Legislature

2015 Regular Session

By Senate Early Learning & K-12 Education (originally sponsored by Senators McAuliffe, Litzow, Rolfes, McCoy, Billig, Darneille, Kohl-Welles, Frockt, and Fraser)

READ FIRST TIME 01/30/15.

1 AN ACT Relating to the awareness of sudden cardiac arrest for
2 students engaged in athletic activity; amending RCW 4.24.660 and
3 28A.195.010; adding a new section to chapter 28A.600 RCW; adding a
4 new section to chapter 28A.320 RCW; and creating new sections.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature finds that sudden cardiac
7 death is the result of an unexpected failure of proper heart function
8 that may occur during or immediately after exercise. The legislature
9 further finds that it has been reported that cardiac arrest is the
10 leading cause of death in young athletes. The legislature finds that
11 approximately one in two hundred fifty young athletes has a heart
12 disorder that may increase his or her risk of sudden cardiac arrest.
13 The legislature intends to make youth athletes, their families, and
14 coaches aware of sudden cardiac arrest.

15 **Sec. 2.** RCW 4.24.660 and 2009 c 475 s 1 are each amended to read
16 as follows:

17 (1) A school district shall not be liable for an injury to or the
18 death of a person due to action or inaction of persons employed by,
19 or under contract with, a youth program if:

1 (a) The action or inaction takes place on school property and
2 during the delivery of services of the youth program;

3 (b) The private nonprofit group provides proof of being insured,
4 under an accident and liability policy issued by an insurance company
5 authorized to do business in this state, that covers any injury or
6 damage arising from delivery of its services. Coverage for a policy
7 meeting the requirements of this section must be at least fifty
8 thousand dollars due to bodily injury or death of one person, or at
9 least one hundred thousand dollars due to bodily injury or death of
10 two or more persons in any incident. The private nonprofit shall also
11 provide a statement of compliance with the policies for the
12 management of concussion and head injury in youth sports as set forth
13 in RCW 28A.600.190 and a statement of compliance with the policies
14 for sudden cardiac arrest awareness as set forth in this act; and

15 (c) The group provides proof of such insurance before the first
16 use of the school facilities. The immunity granted shall last only as
17 long as the insurance remains in effect.

18 (2) Immunity under this section does not apply to any school
19 district before January 1, 2000.

20 (3) As used in this section, "youth programs" means any program
21 or service, offered by a private nonprofit group, that is operated
22 primarily to provide persons under the age of eighteen with
23 opportunities to participate in services or programs.

24 (4) This section does not impair or change the ability of any
25 person to recover damages for harm done by: (a) Any contractor or
26 employee of a school district acting in his or her capacity as a
27 contractor or employee; or (b) the existence of unsafe facilities or
28 structures or programs of any school district.

29 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.600
30 RCW to read as follows:

31 (1) The Washington interscholastic activities association shall
32 work with member schools' board of directors, a nonprofit
33 organization that educates communities about sudden cardiac arrest in
34 youth athletes, and the University of Washington medicine center for
35 sports cardiology to develop and make available an online pamphlet
36 that provides youth athletes, their parents or guardians, and coaches
37 with information about sudden cardiac arrest. The online pamphlet
38 must include information on the nature, risk, symptoms and warning
39 signs, prevention, and treatment of sudden cardiac arrest. The online

1 pamphlet shall be posted on the office of the superintendent of
2 public instruction's web site.

3 (2) The Washington interscholastic activities association shall
4 work with member schools' board of directors, an organization that
5 provides educational training for safe participation in athletic
6 activity, and the University of Washington medicine center for sports
7 cardiology to make available an existing online sudden cardiac arrest
8 prevention program for coaches.

9 (3) On a yearly basis, prior to participating in an
10 interscholastic athletic activity a sudden cardiac arrest form
11 stating that the online pamphlet was reviewed shall be signed by the
12 youth athlete and the athlete's parents and/or guardian and returned
13 to the school.

14 (4) Every three years, prior to coaching an interscholastic
15 athletic activity coaches shall complete the online sudden cardiac
16 arrest prevention program described in this section. Coaches shall
17 provide a certificate showing completion of the online sudden cardiac
18 arrest prevention program to the school.

19 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.320
20 RCW to read as follows:

21 School districts shall hold an informational meeting at the
22 beginning of each school year that reviews the nature, risk, symptoms
23 and warning signs, prevention, and treatment of sudden cardiac
24 arrest. Youth athletes, their parents or guardians, coaches, athletic
25 trainers, school and team physicians, school nurses, and other school
26 officials may attend the meeting. School districts may collaborate
27 with nonprofit organizations that educate communities about sudden
28 cardiac arrest in youth athletes to hold the informational meeting.
29 The informational meeting required in this section may be
30 incorporated within other annual meetings.

31 **Sec. 5.** RCW 28A.195.010 and 2009 c 548 s 303 are each amended to
32 read as follows:

33 The legislature hereby recognizes that private schools should be
34 subject only to those minimum state controls necessary to insure the
35 health and safety of all the students in the state and to insure a
36 sufficient basic education to meet usual graduation requirements. The
37 state, any agency or official thereof, shall not restrict or dictate

1 any specific educational or other programs for private schools except
2 as hereinafter in this section provided.

3 Principals of private schools or superintendents of private
4 school districts shall file each year with the state superintendent
5 of public instruction a statement certifying that the minimum
6 requirements hereinafter set forth are being met, noting any
7 deviations. After review of the statement, the state superintendent
8 will notify schools or school districts of those deviations which
9 must be corrected. In case of major deviations, the school or school
10 district may request and the state board of education may grant
11 provisional status for one year in order that the school or school
12 district may take action to meet the requirements. The state board of
13 education shall not require private school students to meet the
14 student learning goals, obtain a certificate of academic achievement,
15 or a certificate of individual achievement to graduate from high
16 school, to master the essential academic learning requirements, or to
17 be assessed pursuant to RCW 28A.655.061. However, private schools may
18 choose, on a voluntary basis, to have their students master these
19 essential academic learning requirements, take the assessments, and
20 obtain a certificate of academic achievement or a certificate of
21 individual achievement. Minimum requirements shall be as follows:

22 (1) The minimum school year for instructional purposes shall
23 consist of no less than one hundred eighty school days or the
24 equivalent in annual minimum instructional hour offerings, with a
25 school-wide annual average total instructional hour offering of one
26 thousand hours for students enrolled in grades one through twelve,
27 and at least four hundred fifty hours for students enrolled in
28 kindergarten.

29 (2) The school day shall be the same as defined in RCW
30 28A.150.203.

31 (3) All classroom teachers shall hold appropriate Washington
32 state certification except as follows:

33 (a) Teachers for religious courses or courses for which no
34 counterpart exists in public schools shall not be required to obtain
35 a state certificate to teach those courses.

36 (b) In exceptional cases, people of unusual competence but
37 without certification may teach students so long as a certified
38 person exercises general supervision. Annual written statements shall
39 be submitted to the office of the superintendent of public
40 instruction reporting and explaining such circumstances.

1 (4) An approved private school may operate an extension program
2 for parents, guardians, or persons having legal custody of a child to
3 teach children in their custody. The extension program shall require
4 at a minimum that:

5 (a) The parent, guardian, or custodian be under the supervision
6 of an employee of the approved private school who is certified under
7 chapter 28A.410 RCW;

8 (b) The planning by the certified person and the parent,
9 guardian, or person having legal custody include objectives
10 consistent with this subsection and subsections (1), (2), (5), (6),
11 and (7) of this section;

12 (c) The certified person spend a minimum average each month of
13 one contact hour per week with each student under his or her
14 supervision who is enrolled in the approved private school extension
15 program;

16 (d) Each student's progress be evaluated by the certified person;
17 and

18 (e) The certified employee shall not supervise more than thirty
19 students enrolled in the approved private school's extension program.

20 (5) Appropriate measures shall be taken to safeguard all
21 permanent records against loss or damage.

22 (6) The physical facilities of the school or district shall be
23 adequate to meet the program offered by the school or district:
24 PROVIDED, That each school building shall meet reasonable health and
25 fire safety requirements. A residential dwelling of the parent,
26 guardian, or custodian shall be deemed to be an adequate physical
27 facility when a parent, guardian, or person having legal custody is
28 instructing his or her child under subsection (4) of this section.

29 (7) Private school curriculum shall include instruction of the
30 basic skills of occupational education, science, mathematics,
31 language, social studies, history, health, reading, writing,
32 spelling, and the development of appreciation of art and music, all
33 in sufficient units for meeting state board of education graduation
34 requirements.

35 (8) Each school or school district shall be required to maintain
36 up-to-date policy statements related to the administration and
37 operation of the school or school district.

38 All decisions of policy, philosophy, selection of books, teaching
39 material, curriculum, except as in subsection (7) of this section
40 provided, school rules and administration, or other matters not

1 specifically referred to in this section, shall be the responsibility
2 of the administration and administrators of the particular private
3 school involved.

4 (9) Private schools shall hold an informational meeting regarding
5 sudden cardiac arrest in accordance with section 4 of this act.

6 NEW SECTION. **Sec. 6.** This act may be known and cited as the
7 sudden cardiac arrest awareness act.

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