



STATE OF DELAWARE  
STATE COUNCIL FOR PERSONS WITH DISABILITIES  
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MEMORANDUM

DATE: April 30, 2014

TO: All Members of the Delaware State Senate  
and House of Representatives

FROM: Ms. Daniese McMullin-Powell, Chairperson  
State Council for Persons with Disabilities

RE: H.B. 249 (CPR Training in Schools)

The State Council for Persons with Disabilities (SCPD) has reviewed H.B. 249, which would require participation of students in a CPR educational program as a condition of qualifying for a diploma. The requirement would apply to both public and private school students and be effective with the class of 2017. The CPR educational program would include both psychomotor learning and skills necessary to use an automated external defibrillator. An IEP team or Section 504 team could authorize modifications of instruction, or if such modification would be ineffective, an exemption from the law. The attached fiscal note suggests that 65 American Heart Association kits would be necessary to instruct a projected 9,755 public school students.

This legislation was introduced on March 13, 2014. As of April 4, it remained in the House Education Committee.

As background, similar legislation (H.B. No. 299) was introduced in 2012. It was tabled in the House Health & Human Development Committee. The Department of Education shared reservations about the legislation with the Committee.

SCPD would like to share the following observations:

First, the fiscal note is based on 9,755 9<sup>th</sup> graders in public schools. The DOE website lists 11,217 ninth graders in public schools for the 2012 -13 school year. See [http://www.doe.k12.de.us/reports\\_data/enrollment/detailed\\_enroll.shtml](http://www.doe.k12.de.us/reports_data/enrollment/detailed_enroll.shtml). This may affect the size of the fiscal note somewhat.

Second, lines 27-29, which represent a variation on language suggested by the Councils, merits revision for two reasons: a) students with a §504 plan are not identified under Chapter 31; and b) apart from content, some accommodations in instructional “methodology” may be appropriate (e.g. an AHA or ARC instructional program may not be available in Braille or at lower reading levels). The following amendment would be appropriate: “The individualized education plan (IEP) or §504 plan of a student with a disability ~~identified under Chapter 31 of this title~~ may modify the method or content of instruction for CPR required by this section or, if such modification would be ineffective, exempt such student from application of this section.”

Third, the predecessor legislation (H.B. No. 299) ostensibly authorized students to qualify for a diploma even if the instruction were “non-certified” (line 20). In contrast, H.B. No. 249 (lines 19-26) could be interpreted in multiple ways: 1) all students must take a certified course using certain instructional programs; or 2) only students who wish to obtain a certification are required to use certain instructional programs. The sponsors may wish to clarify this aspect of the legislation.

Thank you for your consideration and please contact SCPD if you have any questions regarding our observations on the proposed legislation.

cc: Mr. Brian Hartman, Esq.  
Governor’s Advisory Council for Exceptional Citizens  
Developmental Disabilities Council

HB 249 CPR training in schools 4-30-14

147TH GENERAL ASSEMBLY

FISCAL NOTE

BILL: HOUSE BILL NO. 249  
SPONSOR: Representative Ramone  
DESCRIPTION: AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CARDIOPULMONARY RESUSCITATION EDUCATION.

ASSUMPTIONS:

1. Effective upon signature of the Governor.
2. This bill requires Delaware students in public and non-public schools to learn CPR to be granted a high school diploma from a Delaware high school beginning with the Class of 2017 (current year freshman).
3. The American Heart Association produces CPR in Schools Training Kits that can be used to meet the requirements of the legislation at a cost of \$599/per kit. The kits can serve 10 students at a time where each manikin can withstand a maximum of 300,000 compressions lasting at least 3 years.
4. Public schools with an enrollment of 200 students or greater are assumed to receive 2 CPR kits while public schools with an enrollment of less than 200 students are assumed to receive 1 CPR kit. Non-public schools are not included in the estimated cost given the legislation is unclear whether they should receive state support to implement the training.

|                | Total 9 <sup>th</sup> Grade Enrollment | # of CPR kits for schools with greater than 200 students | # of CPR kits for schools with less than 200 students | Total # of CPR Kits |
|----------------|--|--|---|---------------------|
| Public Schools | 9,755                                  | 52 (26 schools)  | 13 (13 schools)                                       | 65 (39 schools)     |

5. Based on feedback from the American Heart Association, costs may be minimized if public schools are able to work with local emergency medical service agencies, health care providers, and other organizations to obtain loaned equipment.

Cost:

Fiscal Year 2015: \$38,935  
Fiscal Year 2016: \$0  
Fiscal Year 2017: \$0