

ATTACHMENT II
Text of Proposed New 19 TAC

Chapter 74. Curriculum Requirements

Subchapter C. Other Provisions

§74.38. Requirements for Instruction in Cardiopulmonary Resuscitation (CPR).

- (a) A school district or an open-enrollment charter school shall provide instruction to students in Grades 7-12 in cardiopulmonary resuscitation (CPR). The instruction:
 - (1) may be provided as a part of any course; and
 - (2) must be provided to each student at least once before graduation from high school.
- (b) CPR instruction must include training that has been developed:
 - (1) by the American Heart Association or the American Red Cross; or
 - (2) using nationally recognized, evidence-based guidelines for emergency cardiovascular care and incorporating psychomotor skills to support the instruction.
- (c) A school district or an open-enrollment charter school may use emergency medical technicians, paramedics, police officers, firefighters, representatives of the American Heart Association or the American Red Cross, teachers, other school employees, or other similarly qualified individuals to provide CPR instruction and training under this section. Except as specified in subsection (d) of this section, an instructor of this training is not required to be certified in CPR.
- (d) Instruction provided under this section is not required to result in certification by a student in CPR. If instruction is intended to result in certification in CPR, the course instructor must be authorized to provide the instruction by the American Heart Association, the American Red Cross, or a similar nationally recognized association.
- (e) A school district or an open-enrollment charter school may waive the requirement under this section for a student, who due to a disability, is unable to complete the requirement. The determination regarding a student's ability to complete the CPR requirement will be made by:
 - (i) the student's ARD committee if the student receives special education services under the Texas Education Code (TEC), Chapter 29, Subchapter A; or
 - (ii) the committee established for the student under Section 504, Rehabilitation Act of 1973 (29 United States Code (USC), §794) if the student does not receive special education services under the TEC, Chapter 29, Subchapter A, but is covered by the Rehabilitation Act of 1973.
- (f) This section applies to any student who entered Grade 7 in the 2009-2010 school year and thereafter.