

STATE OF NEW YORK

5539--A

2025-2026 Regular Sessions

IN SENATE

February 24, 2025

Introduced by Sens. BASKIN, BRISPORT, CLEARE, COMRIE, FERNANDEZ, HINCHEY, JACKSON, KAVANAGH, PERSAUD, SALAZAR, SCARCELLA-SPANTON, WEBB -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to requiring schools safety plans to include a cardiac emergency response plan

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. This act shall be known and may be cited as "Desha's law".
2 § 2. Subdivision 1 of section 917 of the education law, as amended by
3 chapter 61 of the laws of 2002, is amended to read as follows:
4 1. School districts, boards of cooperative educational services, coun-
5 ty vocational education and extension boards and charter schools shall
6 provide and maintain on-site in each instructional school facility auto-
7 mated external defibrillator (AED) equipment, as defined in paragraph
8 (a) of subdivision one of section three thousand-b of the public health
9 law, in quantities and types deemed by the commissioner in consultation
10 with the commissioner of health to be adequate to ensure ready and
11 appropriate access for use during emergencies. Such automated external
12 defibrillators shall be clearly marked, accessible, and maintained
13 consistent with guidelines set by the American Heart Association, or
14 other nationally recognized guidelines focused on emergency cardiovascu-
15 lar care.
16 § 3. Paragraphs h, l and m of subdivision 2 of section 2801-a of the
17 education law, paragraph h as amended by section 1 of part B of chapter
18 54 of the laws of 2016 and paragraphs l and m as amended by chapter 30
19 of the laws of 2021, are amended and a new paragraph n is added to read
20 as follows:
21 h. policies and procedures for annual school safety training for staff
22 and students; provided that the district must certify to the commission-

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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1 er that all staff have undergone annual training on the emergency
2 response plan, and that the school safety training include components on
3 violence prevention [~~and~~], mental health and sudden cardiac arrest, such
4 training may be implemented and conducted in conjunction with existing
5 professional development and training; provided however that new employ-
6 ees hired after the start of the school year shall receive training
7 within thirty days of such hire or as part of a district's existing new
8 hire training program, whichever is sooner;

9 l. the designation of the superintendent, or superintendent's desig-
10 nee, as the district chief emergency officer responsible for coordinat-
11 ing communication between school staff and law enforcement and first
12 responders, and ensuring staff understanding of the district-level safe-
13 ty plan. The chief emergency officer shall also be responsible for
14 ensuring the completion and yearly updating of building-level emergency
15 response plans; [~~and~~]

16 m. protocols for responding to a declared state disaster emergency
17 involving a communicable disease that are substantially consistent with
18 the provisions of section twenty-seven-c of the labor law[~~+~~]; and

19 n. policies and procedures relating to sudden cardiac arrest. The
20 district-wide school safety team shall develop and implement a cardiac
21 emergency response plan that addresses the use of appropriate personnel
22 to respond to incidents involving any individual experiencing sudden
23 cardiac arrest or similar life-threatening emergency on any school site
24 owned or operated by a school or at a location of a school sponsored
25 event, including but not limited to all athletic programs. Such plan
26 shall be a written document and shall include specific procedures for
27 incidents involving an individual experiencing sudden cardiac arrest or
28 a similar life-threatening emergency while attending or participating in
29 an athletic practice or event while on school grounds that are venue
30 specific. Each plan shall integrate nationally recognized, evidence-
31 based core elements, such as those recommended by the American Heart
32 Association. School officials shall consider how to best integrate
33 their cardiac emergency response plan into community EMS responder
34 protocols. The district-wide school safety team may provide first aid,
35 CPR, and AED training for relevant staff, including members of build-
36 ing-level emergency response teams provided for in subdivision four of
37 this section, provided that such training shall be voluntary.

38 § 4. Paragraph a of subdivision 3 of section 2801-a of the education
39 law, as amended by section 1 of part B of chapter 54 of the laws of
40 2016, is amended to read as follows:

41 a. policies and procedures for response to emergency situations, such
42 as those requiring evacuation, sheltering, [~~and~~] lock-down, and sudden
43 cardiac arrest. These policies shall include, at a minimum, evacuation
44 routes, shelter sites, and procedures for addressing medical needs,
45 transportation and emergency notification of parents and guardians;

46 § 5. Paragraph a of subdivision 3 of section 2801-a of the education
47 law, as amended by chapter 25 of the laws of 2025, is amended to read as
48 follows:

49 a. policies and procedures for response to emergency situations, such
50 as those requiring evacuation, sheltering, [~~and~~] lock-down, and sudden
51 cardiac arrest. These policies shall include, at a minimum, evacuation
52 routes, shelter sites, and procedures for addressing medical needs,
53 transportation and emergency notification of parents and guardians;

54 § 6. This act shall take effect on the one hundred eightieth day after
55 it shall have become a law; provided, however, that the amendments to
56 paragraph a of subdivision 3 of section 2801-a of the education law made

1 by section five of this act shall take effect on the same date and in
2 the same manner as chapter 25 of the laws of 2025, takes effect. Effec-
3 tive immediately, the addition, amendment and/or repeal of any rule or
4 regulation necessary for the implementation of this act on its effective
5 date are authorized to be made and completed on or before such effective
6 date.