

By: Senator(s) Boyd, McCaughn

To: Education

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2333

1 AN ACT TO ESTABLISH THE SEIZURE SAFE SCHOOLS ACT; TO PROVIDE
2 THAT SUBJECT TO APPROPRIATION, BEGINNING ON JULY 1, 2024, EACH
3 PUBLIC SCHOOL BOARD AND THE GOVERNING BODY OF EACH NONPUBLIC
4 SCHOOL SHALL HAVE AT LEAST ONE EMPLOYEE OR VENDOR AT EACH SCHOOL
5 WHO HAS MET THE TRAINING REQUIREMENTS NECESSARY TO ADMINISTER
6 SEIZURE RESCUE MEDICATION OR PERFORM MANUAL VAGUS NERVE
7 STIMULATION FOR PERSONS EXPERIENCING SEIZURE DISORDER SYMPTOMS; TO
8 REQUIRE TRAINING FOR SUCH PERSON TO BE CONSISTENT WITH GUIDELINES
9 DEVELOPED BY THE EPILEPSY FOUNDATION OF AMERICA OR SIMILAR
10 SUCCESSOR ORGANIZATION, TO REQUIRE THE TRAINING TO OCCUR EVERY TWO
11 YEARS FOR THOSE EMPLOYEES OF THE SCHOOL WITH DIRECT CONTACT OR
12 SUPERVISION OF CHILDREN; TO REQUIRE THE PARENTS OR LEGAL GUARDIANS
13 OF CHILDREN WHO EXPERIENCE SEIZURE DISORDER SYMPTOMS TO PROVIDE
14 WRITTEN AUTHORIZATION TO THE SCHOOL FOR THE ADMINISTRATION OF
15 NECESSARY MEDICATION ALONG WITH A WRITTEN STATEMENT FROM THE
16 CHILD'S MEDICAL PROVIDER; TO REQUIRE THE WRITTEN STATEMENT AND THE
17 CHILD'S SEIZURE ACTION PLAN TO BE KEPT ON FILE BY THE SCHOOL NURSE
18 OR SCHOOL ADMINISTRATOR; TO AUTHORIZE SCHOOLS TO PROVIDE
19 AGE-APPROPRIATE SEIZURE EDUCATION PROGRAMS TO ALL STUDENTS ON
20 SEIZURES AND SEIZURE DISORDERS; TO EXEMPT SCHOOL EMPLOYEES ACTING
21 IN GOOD FAITH AND IN SUBSTANTIAL COMPLIANCE WITH A STUDENT'S
22 INDIVIDUAL HEALTH PLAN TO RENDER ASSISTANCE TO A CHILD
23 EXPERIENCING A SEIZURE EPISODE FROM CIVIL AND CRIMINAL LIABILITY;
24 AND FOR RELATED PURPOSES.

25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

26 **SECTION 1.** (1) This act shall be known and may be cited as
27 the "Seizure Safe Schools Act."

28 (2) As used in this act, the term "seizure action plan"
29 means a written, individualized health plan designed to



30 acknowledge and prepare for the health care needs of a student
31 diagnosed with a seizure disorder.

32 **SECTION 2.** (1) (a) Beginning on July 1, 2024, the local
33 school board of each public school district and the governing body
34 of each nonpublic school shall have at least one (1) school
35 employee or vendor at each school who has met the training
36 requirements necessary to administer or assist with the
37 self-administration of a seizure rescue medication or medication
38 prescribed to treat seizure disorder symptoms as approved by the
39 United States Food and Drug Administration and any successor
40 agency.

41 (b) For those assigned the duties under paragraph (a)
42 of this subsection, the training provided shall include
43 instructions in administering seizure medications and manual vagus
44 nerve stimulation, as well as the recognition of the signs and
45 symptoms of seizures and the appropriate steps to be taken to
46 respond to these symptoms.

47 (c) The presence of a registered nurse employed full
48 time by a school who assumes responsibility for the administration
49 of seizure medications and the administration and oversight of
50 vagus nerve stimulation, shall fulfill requirements of paragraphs
51 (a) and (b) of this subsection.

52 (d) Every public and charter school shall, and
53 nonpublic school is encouraged to, provide training every two (2)
54 years to principals, guidance counselors, teachers and other



55 relevant school personnel with direct contact and supervision of
56 children, including bus drivers and classroom aids, on the
57 recognition of the signs and symptoms of seizures and the
58 appropriate steps for seizure first aid.

59 (e) Any training programs or guidelines adopted by any
60 state agency for the training of school personnel in the health
61 care needs of students diagnosed with a seizure disorder shall be
62 fully consistent with training programs and guidelines developed
63 by the Epilepsy Foundation of America and any successor
64 organization that supports the welfare of individuals with
65 epilepsy and seizure disorders. Notwithstanding any state agency
66 requirement or other law to the contrary, for the purposes of this
67 training, a local school district shall be permitted to use any
68 adequate and appropriate training program or guidelines for
69 training of school personnel in the seizure disorder care tasks
70 covered under this section. The instruction must be approved by
71 the State Department of Education or relevant state agency, may be
72 provided online or in-person, and must be provided by the
73 nonprofit entity free of charge.

74 (2) (a) Before administering a seizure rescue medication or
75 medication prescribed to treat seizure disorder symptoms, the
76 student's parent or guardian shall:

77 (i) Provide the school with a written
78 authorization to administer the medication at school;



79 (ii) Provide a written statement from the
80 student's health care practitioner, which shall contain the
81 following information:

- 82 1. Student's name;
- 83 2. The name and purpose of the medication;
- 84 3. The prescribed dosage;
- 85 4. The route of administration;
- 86 5. The frequency that the medication may be
87 administered; and
- 88 6. The circumstances under which the
89 medication may be administered; and

90 (iii) Provide the prescribed medication to the
91 school in its unopened, sealed package with the label affixed by
92 the dispensing pharmacy intact.

93 (b) In addition to the statements required in paragraph
94 (a) of this subsection, the parent or guardian of each student
95 diagnosed with a seizure disorder shall collaborate with school
96 personnel to create a seizure action plan. The State Board of
97 Education shall promulgate administrative regulations establishing
98 procedures for the development and content of seizure action
99 plans.

100 (3) (a) The statements and seizure action plan required in
101 subsection (2) of this section shall be kept on file in the office
102 of the school nurse or school administrator.



103 (b) The seizure action plan requirement in subsection
104 (2)(b) of this section shall be distributed to any school
105 personnel or volunteers responsible for the supervision or care of
106 the student.

107 (4) The permission for the administration of any of the
108 medications authorized under subsection (1)(a) of this section
109 shall be effective for the school year in which it is granted and
110 shall be renewed each following school year upon fulfilling the
111 requirements of subsections (2) through (4) of this section.

112 (5) The requirements of subsections (1) through (5) of this
113 section shall apply only to schools that have a student enrolled
114 who has a seizure disorder, a seizure rescue medication or
115 medication prescribed to treat seizure disorder symptoms approved
116 by the United States Food and Drug Administration and any
117 successor agency prescribed by the student's health care provider.

118 (6) The requirements of this act shall be conditioned on and
119 subject to the appropriation of funds to accomplish such purposes.

120 **SECTION 3.** Every public and charter school shall, and
121 nonpublic school is encouraged to, provide an age-appropriate
122 seizure education program to all students on seizures and seizure
123 disorders. The seizure education program shall be consistent with
124 guidelines published by the Epilepsy Foundation of America and any
125 successor organization. The State Board of Education shall
126 promulgate administrative regulations for the development and
127 implementation of the seizure education program.



128 **SECTION 4.** A school district, school district employee or
129 agent acting in good faith and in substantial compliance with the
130 student's individual health plan and the instructions of the
131 student's licensed health care professional, that provides
132 assistance or services under this act shall not be liable in any
133 criminal action for civil damages in his or her individual,
134 marital, governmental, corporate or other capacities as a result
135 of the services provided under this act to students with epilepsy
136 or seizure disorders.

137 **SECTION 5.** This act shall take effect and be in force from
138 and after July 1, 2023, and shall stand repealed on June 30, 2023.

