

1 H.617

2 Introduced by Representative Hooper of Burlington

3 Referred to Committee on

4 Date:

5 Subject: Education; health services; seizure action plan

6 Statement of purpose of bill as introduced: This bill proposes to require school

7 districts and approved independent schools to create seizure action plans for

8 students diagnosed with a seizure disorder, designate school personnel to

9 administer or assist with the self-administration of seizure rescue medications

10 and vagus nerve stimulators, require parent authorization for the administration

11 of such medications within a school, and provide training for school personnel

12 and students on seizures and seizure disorders, and also requires the Agency of

13 Education to collect certain information regarding compliance with these

14 requirements and report it to the General Assembly annually.

15 An act relating to seizure disorders in schools

16 It is hereby enacted by the General Assembly of the State of Vermont:

17 Sec. 1. 16 V.S.A. § 1370 is added to read:

18 § 1370. SEIZURE ACTION PLANS

1        (a) As used in this section, “seizure action plan” means a written,  
2        individualized health plan designed to acknowledge and prepare for the health  
3        care needs of a student diagnosed with a seizure disorder.

4        (b)(1) Beginning in the 2027–2028 school year, the board of each school  
5        district and the governing body of each approved independent school shall  
6        designate at least two school employees at each school who have met the  
7        training requirements necessary to administer or assist with the self-  
8        administration of:

9            (A) a seizure rescue medication or medication prescribed to treat  
10        seizure disorder symptoms as approved by the U.S. Food and Drug  
11        Administration and any successor agency; and

12            (B) a manual dose of prescribed electrical stimulation using a vagus  
13        nerve stimulator (VNS) magnet as approved by the U.S. Food and Drug  
14        Administration and any successor agency.

15            (2) For those assigned the duties under this subsection, the training  
16        provided shall include instructions in administering seizure medications,  
17        manual vagus nerve stimulation, recognizing the signs and symptoms of  
18        seizures, and the appropriate steps to be taken to respond to such symptoms.

19            (3) The presence of a registered nurse employed full time by a school  
20        district who assumes responsibility for the administration of seizure

1       medications and the administrative oversight of vagus nerve stimulation shall  
2       fulfill the requirements of subdivisions (1) and (2) of this subsection.

3           (4) Prior to the administration of a seizure rescue medication or  
4       medication prescribed to treat seizure disorder symptoms in a public or  
5       approved independent school, the student's parent or guardian shall:

6               (A) provide the school with a written authorization to administer the  
7       medication at school;

8               (B) provide a written statement from the student's health care  
9       practitioner, which shall contain the following information:

10               (i) the student's name;  
11               (ii) the name and purpose of the medication;  
12               (iii) the prescribed dosage;  
13               (iv) the route of administration;  
14               (v) the frequency with which the medication may be administered;

15       and

16               (vi) the circumstances under which the medication may be  
17       administered; and

18               (C) provide the prescribed medication to the school in its unopened,  
19       sealed package with the label affixed by the dispensing pharmacy intact.

20               (5) Permission for the administration of any of the medications listed  
21       under this subsection shall be effective for the school year in which it is

1        granted and shall be renewed each following school year upon fulfilling the  
2        requirements of subsection (c) of this section.

3        (c)(1) Every public and approved independent school shall provide training  
4        every two years to principals, guidance counselors, teachers, and other relevant  
5        school personnel with direct contact with and supervision of children,  
6        including bus drivers and classroom aides, on the recognition of the signs and  
7        symptoms of seizures and the appropriate steps for seizure first aid.

8        (2) Any training programs or guidelines adopted by the Agency of  
9        Education for the training of school personnel in the health care needs of  
10       students diagnosed with a seizure disorder shall be fully consistent with  
11       training programs and guidelines developed by the Epilepsy Foundation of  
12       America and any successor organization. Notwithstanding any provision of  
13       law to the contrary, for the purposes of the training provided pursuant to this  
14       section, a school district shall be permitted to use any adequate and appropriate  
15       training program or guidelines for the training of school personnel in the  
16       seizure disorder care tasks covered under this section. The instruction shall be  
17       approved by the Agency of Education in consultation with the Department of  
18       Health, may be provided online or in person, and shall be provided by the  
19       nonprofit entity free of charge.

20       (d)(1) The parent or guardian of each student diagnosed with a seizure  
21       disorder shall collaborate with school personnel to create a seizure action plan.

1       The school shall keep all seizure action plans on file in the office of the school  
2       nurse or school administrator.

3           (2) The seizure action plan shall be distributed to any school personnel  
4       or volunteers responsible for the supervision or care of the applicable student.

5           (3) The parent and the school shall develop the seizure action plan in  
6       accordance with policies and procedures developed by the school board or the  
7       governing body of an approved independent school. At a minimum, the plan  
8       shall include a written statement from the student's health care provider with  
9       the following information:

10           (A) the student's name;  
11           (B) any seizure medication prescribed to the student;  
12           (C) the dosage and method of administering the seizure medication;  
13           (D) the frequency of administration of the seizure medication; and  
14           (E) the symptoms necessitating administration of the seizure  
15       medication.

16           (e)(1) Every public and approved independent school shall provide an age-  
17       appropriate seizure education program to all students on seizures and seizure  
18       disorders. The seizure education program shall be consistent with guidelines  
19       published by the Epilepsy Foundation of America and any successor  
20       organization.

1                   (2) The State Board of Education shall adopt rules pursuant to 3 V.S.A.

2                   chapter 25 for the development and implementation of the seizure education  
3                   program.

4                   (f) A school district, school district employee, or agent acting in good faith  
5                   and in substantial compliance with the student's individual health plan and the  
6                   instructions of the student's licensed health care professional that provides  
7                   assistance or services under this section shall not be liable in any criminal  
8                   action for civil damages in the employee's or agent's individual, marital,  
9                   governmental, corporate, or other capacities as a result of the services provided  
10                   under this section to students with epilepsy or seizure disorders.

11                   (g)(1) Beginning in the 2027–2028 school year and every school year  
12                   thereafter, each school district and the governing body of each approved  
13                   independent school shall annually certify compliance with the requirements of  
14                   this section.

15                   (2) Compliance with this section shall include:

16                   (A) completion of seizure training for required school personnel;  
17                   (B) implementation and maintenance of seizure action plans for  
18                   students diagnosed with seizure disorders;  
19                   (C) availability of designated and trained personnel to administer  
20                   seizure rescue medications; and

1                   (D) distribution of the seizure action plan to relevant school  
2                   personnel and volunteers.

3                   (3) The Agency shall develop and maintain an online database of all  
4                   public and approved independent schools indicating their compliance status  
5                   with this section. The database shall be publicly accessible on the Agency's  
6                   website.

7                   (4) Schools shall submit an annual compliance report to the Agency,  
8                   which in addition to certification of compliance with this section shall include:  
9                   (A) the number of staff trained in seizure recognition and first aid;  
10                   (B) confirmation of the implementation of seizure action plans for all  
11                   identified students; and  
12                   (C) any gaps or challenges in compliance, along with a corrective  
13                   action plan if necessary.

14                   (5) The Agency shall conduct random audits or request additional  
15                   documentation from schools to ensure compliance with this section.

16                   (h) Notwithstanding 2 V.S.A. § 20(d), on or before January 15 of each  
17                   year, the Agency shall submit an annual written report to the House  
18                   Committees on Education and on Health Care and the Senate Committees on  
19                   Education and on Health and Welfare summarizing rates of compliance with  
20                   this section, challenges in implementing and enforcing this section, and

1        recommended improvements to ensure the successful implementation of  
2        seizure-safe school policies statewide.

3        Sec. 2. EFFECTIVE DATE

4        This act shall take effect on July 1, 2026.