

As Reported by the Senate Education Committee

131st General Assembly

Regular Session

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Sub. S. B. No. 252

Senators Hite, Patton

Cosponsors: Senators Manning, Yuko, Eklund, Coley

A BILL

To amend sections 3314.03 and 3326.11 and to enact 1
sections 3313.5310, 3314.145, 3326.29, 3707.58, 2
and 3707.59 of the Revised Code to enact 3
"Lindsay's Law" regarding sudden cardiac arrest 4
in youth athletic activities. 5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3314.03 and 3326.11 be amended 6
and sections 3313.5310, 3314.145, 3326.29, 3707.58, and 3707.59 7
of the Revised Code be enacted to read as follows: 8

Sec. 3313.5310. (A) (1) This section applies to both of the 9
following: 10

(a) Any school operated by a school district board of 11
education; 12

(b) Any chartered or nonchartered nonpublic school that is 13
subject to the rules of an interscholastic conference or an 14
organization that regulates interscholastic conferences or 15
events. 16

(2) As used in this section, "athletic activity" means all 17

<u>of the following:</u>	18
<u>(a) Interscholastic athletics;</u>	19
<u>(b) An athletic contest or competition that is sponsored</u>	20
<u>by or associated with a school that is subject to this section,</u>	21
<u>including cheerleading, club-sponsored sports activities, and</u>	22
<u>sports activities sponsored by school-affiliated organizations;</u>	23
<u>(c) Noncompetitive cheerleading that is sponsored by</u>	24
<u>school-affiliated organizations;</u>	25
<u>(d) Practices, interschool practices, and scrimmages for</u>	26
<u>all of the activities described in divisions (A) (2) (a), (b), and</u>	27
<u>(c) of this section.</u>	28
<u>(B) Prior to the start of each athletic season, a school</u>	29
<u>that is subject to this section may hold an informational</u>	30
<u>meeting for students, parents, guardians, other persons having</u>	31
<u>care or charge of a student, physicians, pediatric</u>	32
<u>cardiologists, athletic trainers, and any other persons</u>	33
<u>regarding the symptoms and warning signs of sudden cardiac</u>	34
<u>arrest for all ages of students.</u>	35
<u>(C) No student shall participate in an athletic activity</u>	36
<u>until the student has submitted to a designated school official</u>	37
<u>a form signed by the student and the parent, guardian, or other</u>	38
<u>person having care or charge of the student stating that the</u>	39
<u>student and the parent, guardian, or other person having care or</u>	40
<u>charge of the student have received and reviewed a copy of the</u>	41
<u>information developed by the departments of health and education</u>	42
<u>and posted on their respective internet web sites as required by</u>	43
<u>section 3707.59 of the Revised Code. A completed form shall be</u>	44
<u>submitted each school year, as defined in section 3313.62 of the</u>	45
<u>Revised Code, for each athletic activity in which the student</u>	46

participates.

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(D) No individual shall coach an athletic activity unless
the individual has completed, on an annual basis, the sudden
cardiac arrest training course approved by the department of
health under division (C) of section 3707.59 of the Revised
Code.

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(E) (1) A student shall not be allowed to participate in an
athletic activity if either of the following is the case:

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(a) The student's biological parent, biological sibling,
or biological child has previously experienced sudden cardiac
arrest, and the student has not been evaluated and cleared for
participation in an athletic activity by a physician authorized
under Chapter 4731. of the Revised Code to practice medicine and
surgery.

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(b) The student is known to have exhibited syncope or
fainting at any time prior to or following an athletic activity
and has not been evaluated and cleared for return under division
(E) (3) of this section after exhibiting syncope or fainting.

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(2) A student shall be removed by the student's coach from
participation in an athletic activity if the student exhibits
syncope or fainting.

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(3) If a student is not allowed to participate in or is
removed from participation in an athletic activity under
division (E) (1) or (2) of this section, the student shall not
return to participation until the student is evaluated and
cleared for return in writing by any of the following:

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(a) A physician authorized under Chapter 4731. of the
Revised Code to practice medicine and surgery or osteopathic
medicine and surgery, including a physician who specializes in

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<u>cardiology;</u>	76
<u>(b) A certified nurse practitioner, clinical nurse</u>	77
<u>specialist, or certified nurse-midwife who holds a certificate</u>	78
<u>of authority issued under Chapter 4723. of the Revised Code who</u>	79
<u>is working in collaboration with a physician;</u>	80
<u>(c) A physician assistant licensed under Chapter 4730. of</u>	81
<u>the Revised Code who is working in collaboration with a</u>	82
<u>physician;</u>	83
<u>(d) An athletic trainer licensed under Chapter 4755. of</u>	84
<u>the Revised Code who is working in collaboration with a</u>	85
<u>physician.</u>	86
<u>The licensed health care providers specified in divisions</u>	87
<u>(E) (3) (a) to (d) of this section may consult with other</u>	88
<u>licensed or certified health care providers in order to</u>	89
<u>determine whether a student is ready to return to participation.</u>	90
<u>(F) A school that is subject to this section shall</u>	91
<u>establish penalties for a coach who violates the provisions of</u>	92
<u>division (E) of this section.</u>	93
<u>(G) Nothing in this section shall be construed to abridge</u>	94
<u>or limit any rights provided under a collective bargaining</u>	95
<u>agreement entered into under Chapter 4117. of the Revised Code</u>	96
<u>prior to the effective date of this section.</u>	97
<u>(H) (1) A school district, member of a school district</u>	98
<u>board of education, or school district employee or volunteer,</u>	99
<u>including a coach, is not liable in damages in a civil action</u>	100
<u>for injury, death, or loss to person or property allegedly</u>	101
<u>arising from providing services or performing duties under this</u>	102
<u>section, unless the act or omission constitutes willful or</u>	103
<u>wanton misconduct.</u>	104

This section does not eliminate, limit, or reduce any 105
other immunity or defense that a school district, member of a 106
school district board of education, or school district employee 107
or volunteer, including a coach, may be entitled to under 108
Chapter 2744. or any other provision of the Revised Code or 109
under the common law of this state. 110

(2) A chartered or nonchartered nonpublic school or any 111
officer, director, employee, or volunteer of the school, 112
including a coach, is not liable in damages in a civil action 113
for injury, death, or loss to person or property allegedly 114
arising from providing services or performing duties under this 115
section, unless the act or omission constitutes willful or 116
wanton misconduct. 117

Sec. 3314.03. A copy of every contract entered into under 118
this section shall be filed with the superintendent of public 119
instruction. The department of education shall make available on 120
its web site a copy of every approved, executed contract filed 121
with the superintendent under this section. 122

(A) Each contract entered into between a sponsor and the 123
governing authority of a community school shall specify the 124
following: 125

(1) That the school shall be established as either of the 126
following: 127

(a) A nonprofit corporation established under Chapter 128
1702. of the Revised Code, if established prior to April 8, 129
2003; 130

(b) A public benefit corporation established under Chapter 131
1702. of the Revised Code, if established after April 8, 2003. 132

(2) The education program of the school, including the 133

school's mission, the characteristics of the students the school is expected to attract, the ages and grades of students, and the focus of the curriculum;

(3) The academic goals to be achieved and the method of measurement that will be used to determine progress toward those goals, which shall include the statewide achievement assessments;

(4) Performance standards, including but not limited to all applicable report card measures set forth in section 3302.03 or 3314.017 of the Revised Code, by which the success of the school will be evaluated by the sponsor;

(5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;

(6) (a) Dismissal procedures;

(b) A requirement that the governing authority adopt an attendance policy that includes a procedure for automatically withdrawing a student from the school if the student without a legitimate excuse fails to participate in one hundred five consecutive hours of the learning opportunities offered to the student.

(7) The ways by which the school will achieve racial and ethnic balance reflective of the community it serves;

(8) Requirements for financial audits by the auditor of state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state. Audits shall be conducted in accordance with section 117.10 of the Revised Code.

(9) An addendum to the contract outlining the facilities	163
to be used that contains at least the following information:	164
(a) A detailed description of each facility used for	165
instructional purposes;	166
(b) The annual costs associated with leasing each facility	167
that are paid by or on behalf of the school;	168
(c) The annual mortgage principal and interest payments	169
that are paid by the school;	170
(d) The name of the lender or landlord, identified as	171
such, and the lender's or landlord's relationship to the	172
operator, if any.	173
(10) Qualifications of teachers, including a requirement	174
that the school's classroom teachers be licensed in accordance	175
with sections 3319.22 to 3319.31 of the Revised Code, except	176
that a community school may engage noncertificated persons to	177
teach up to twelve hours per week pursuant to section 3319.301	178
of the Revised Code.	179
(11) That the school will comply with the following	180
requirements:	181
(a) The school will provide learning opportunities to a	182
minimum of twenty-five students for a minimum of nine hundred	183
twenty hours per school year.	184
(b) The governing authority will purchase liability	185
insurance, or otherwise provide for the potential liability of	186
the school.	187
(c) The school will be nonsectarian in its programs,	188
admission policies, employment practices, and all other	189
operations, and will not be operated by a sectarian school or	190

religious institution. 191

(d) The school will comply with sections 9.90, 9.91, 192
109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 193
3301.0711, 3301.0712, 3301.0715, 3301.948, 3313.472, 3313.50, 194
3313.536, 3313.539, 3313.5310, 3313.608, 3313.609, 3313.6012, 195
3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.643, 3313.648, 196
3313.6411, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 197
3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 198
3313.716, 3313.718, 3313.719, 3313.7112, 3313.721, 3313.80, 199
3313.814, 3313.816, 3313.817, 3313.86, 3313.89, 3313.96, 200
3319.073, 3319.321, 3319.39, 3319.391, 3319.41, 3319.46, 201
3321.01, 3321.041, 3321.13, 3321.14, 3321.17, 3321.18, 3321.19, 202
3321.191, 3327.10, 4111.17, 4113.52, and 5705.391 and Chapters 203
117., 1347., 2744., 3365., 3742., 4112., 4123., 4141., and 4167. 204
of the Revised Code as if it were a school district and will 205
comply with section 3301.0714 of the Revised Code in the manner 206
specified in section 3314.17 of the Revised Code. 207

(e) The school shall comply with Chapter 102. and section 208
2921.42 of the Revised Code. 209

(f) The school will comply with sections 3313.61, 210
3313.611, and 3313.614 of the Revised Code, except that for 211
students who enter ninth grade for the first time before July 1, 212
2010, the requirement in sections 3313.61 and 3313.611 of the 213
Revised Code that a person must successfully complete the 214
curriculum in any high school prior to receiving a high school 215
diploma may be met by completing the curriculum adopted by the 216
governing authority of the community school rather than the 217
curriculum specified in Title XXXVIII of the Revised Code or any 218
rules of the state board of education. Beginning with students 219
who enter ninth grade for the first time on or after July 1, 220

2010, the requirement in sections 3313.61 and 3313.611 of the Revised Code that a person must successfully complete the curriculum of a high school prior to receiving a high school diploma shall be met by completing the requirements prescribed in division (C) of section 3313.603 of the Revised Code, unless the person qualifies under division (D) or (F) of that section. Each school shall comply with the plan for awarding high school credit based on demonstration of subject area competency, and beginning with the 2016-2017 school year, with the updated plan that permits students enrolled in seventh and eighth grade to meet curriculum requirements based on subject area competency adopted by the state board of education under divisions (J) (1) and (2) of section 3313.603 of the Revised Code.

(g) The school governing authority will submit within four months after the end of each school year a report of its activities and progress in meeting the goals and standards of divisions (A) (3) and (4) of this section and its financial status to the sponsor and the parents of all students enrolled in the school.

(h) The school, unless it is an internet- or computer-based community school, will comply with section 3313.801 of the Revised Code as if it were a school district.

(i) If the school is the recipient of moneys from a grant awarded under the federal race to the top program, Division (A), Title XIV, Sections 14005 and 14006 of the "American Recovery and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, the school will pay teachers based upon performance in accordance with section 3317.141 and will comply with section 3319.111 of the Revised Code as if it were a school district.

(j) If the school operates a preschool program that is

licensed by the department of education under sections 3301.52	251
to 3301.59 of the Revised Code, the school shall comply with	252
sections 3301.50 to 3301.59 of the Revised Code and the minimum	253
standards for preschool programs prescribed in rules adopted by	254
the state board under section 3301.53 of the Revised Code.	255
(12) Arrangements for providing health and other benefits	256
to employees;	257
(13) The length of the contract, which shall begin at the	258
beginning of an academic year. No contract shall exceed five	259
years unless such contract has been renewed pursuant to division	260
(E) of this section.	261
(14) The governing authority of the school, which shall be	262
responsible for carrying out the provisions of the contract;	263
(15) A financial plan detailing an estimated school budget	264
for each year of the period of the contract and specifying the	265
total estimated per pupil expenditure amount for each such year.	266
(16) Requirements and procedures regarding the disposition	267
of employees of the school in the event the contract is	268
terminated or not renewed pursuant to section 3314.07 of the	269
Revised Code;	270
(17) Whether the school is to be created by converting all	271
or part of an existing public school or educational service	272
center building or is to be a new start-up school, and if it is	273
a converted public school or service center building,	274
specification of any duties or responsibilities of an employer	275
that the board of education or service center governing board	276
that operated the school or building before conversion is	277
delegating to the governing authority of the community school	278
with respect to all or any specified group of employees provided	279

the delegation is not prohibited by a collective bargaining agreement applicable to such employees;	280 281
(18) Provisions establishing procedures for resolving disputes or differences of opinion between the sponsor and the governing authority of the community school;	282 283 284
(19) A provision requiring the governing authority to adopt a policy regarding the admission of students who reside outside the district in which the school is located. That policy shall comply with the admissions procedures specified in sections 3314.06 and 3314.061 of the Revised Code and, at the sole discretion of the authority, shall do one of the following:	285 286 287 288 289 290
(a) Prohibit the enrollment of students who reside outside the district in which the school is located;	291 292
(b) Permit the enrollment of students who reside in districts adjacent to the district in which the school is located;	293 294 295
(c) Permit the enrollment of students who reside in any other district in the state.	296 297
(20) A provision recognizing the authority of the department of education to take over the sponsorship of the school in accordance with the provisions of division (C) of section 3314.015 of the Revised Code;	298 299 300 301
(21) A provision recognizing the sponsor's authority to assume the operation of a school under the conditions specified in division (B) of section 3314.073 of the Revised Code;	302 303 304
(22) A provision recognizing both of the following:	305
(a) The authority of public health and safety officials to inspect the facilities of the school and to order the facilities	306 307

closed if those officials find that the facilities are not in 308
compliance with health and safety laws and regulations; 309

(b) The authority of the department of education as the 310
community school oversight body to suspend the operation of the 311
school under section 3314.072 of the Revised Code if the 312
department has evidence of conditions or violations of law at 313
the school that pose an imminent danger to the health and safety 314
of the school's students and employees and the sponsor refuses 315
to take such action. 316

(23) A description of the learning opportunities that will 317
be offered to students including both classroom-based and non- 318
classroom-based learning opportunities that is in compliance 319
with criteria for student participation established by the 320
department under division (H) (2) of section 3314.08 of the 321
Revised Code; 322

(24) The school will comply with sections 3302.04 and 323
3302.041 of the Revised Code, except that any action required to 324
be taken by a school district pursuant to those sections shall 325
be taken by the sponsor of the school. However, the sponsor 326
shall not be required to take any action described in division 327
(F) of section 3302.04 of the Revised Code. 328

(25) Beginning in the 2006-2007 school year, the school 329
will open for operation not later than the thirtieth day of 330
September each school year, unless the mission of the school as 331
specified under division (A) (2) of this section is solely to 332
serve dropouts. In its initial year of operation, if the school 333
fails to open by the thirtieth day of September, or within one 334
year after the adoption of the contract pursuant to division (D) 335
of section 3314.02 of the Revised Code if the mission of the 336
school is solely to serve dropouts, the contract shall be void. 337

(26) Whether the school's governing authority is planning	338
to seek designation for the school as a STEM school equivalent	339
under section 3326.032 of the Revised Code;	340
(27) That the school's attendance and participation	341
policies will be available for public inspection;	342
(28) That the school's attendance and participation	343
records shall be made available to the department of education,	344
auditor of state, and school's sponsor to the extent permitted	345
under and in accordance with the "Family Educational Rights and	346
Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended,	347
and any regulations promulgated under that act, and section	348
3319.321 of the Revised Code;	349
(29) If a school operates using the blended learning	350
model, as defined in section 3301.079 of the Revised Code, all	351
of the following information:	352
(a) An indication of what blended learning model or models	353
will be used;	354
(b) A description of how student instructional needs will	355
be determined and documented;	356
(c) The method to be used for determining competency,	357
granting credit, and promoting students to a higher grade level;	358
(d) The school's attendance requirements, including how	359
the school will document participation in learning	360
opportunities;	361
(e) A statement describing how student progress will be	362
monitored;	363
(f) A statement describing how private student data will	364
be protected;	365

(g) A description of the professional development 366
activities that will be offered to teachers. 367

(30) A provision requiring that all moneys the school's 368
operator loans to the school, including facilities loans or cash 369
flow assistance, must be accounted for, documented, and bear 370
interest at a fair market rate; 371

(31) A provision requiring that, if the governing 372
authority contracts with an attorney, accountant, or entity 373
specializing in audits, the attorney, accountant, or entity 374
shall be independent from the operator with which the school has 375
contracted. 376

(B) The community school shall also submit to the sponsor 377
a comprehensive plan for the school. The plan shall specify the 378
following: 379

(1) The process by which the governing authority of the 380
school will be selected in the future; 381

(2) The management and administration of the school; 382

(3) If the community school is a currently existing public 383
school or educational service center building, alternative 384
arrangements for current public school students who choose not 385
to attend the converted school and for teachers who choose not 386
to teach in the school or building after conversion; 387

(4) The instructional program and educational philosophy 388
of the school; 389

(5) Internal financial controls. 390

When submitting the plan under this division, the school 391
shall also submit copies of all policies and procedures 392
regarding internal financial controls adopted by the governing 393

authority of the school. 394

(C) A contract entered into under section 3314.02 of the 395
Revised Code between a sponsor and the governing authority of a 396
community school may provide for the community school governing 397
authority to make payments to the sponsor, which is hereby 398
authorized to receive such payments as set forth in the contract 399
between the governing authority and the sponsor. The total 400
amount of such payments for monitoring, oversight, and technical 401
assistance of the school shall not exceed three per cent of the 402
total amount of payments for operating expenses that the school 403
receives from the state. 404

(D) The contract shall specify the duties of the sponsor 405
which shall be in accordance with the written agreement entered 406
into with the department of education under division (B) of 407
section 3314.015 of the Revised Code and shall include the 408
following: 409

(1) Monitor the community school's compliance with all 410
laws applicable to the school and with the terms of the 411
contract; 412

(2) Monitor and evaluate the academic and fiscal 413
performance and the organization and operation of the community 414
school on at least an annual basis; 415

(3) Report on an annual basis the results of the 416
evaluation conducted under division (D) (2) of this section to 417
the department of education and to the parents of students 418
enrolled in the community school; 419

(4) Provide technical assistance to the community school 420
in complying with laws applicable to the school and terms of the 421
contract; 422

(5) Take steps to intervene in the school's operation to 423
correct problems in the school's overall performance, declare 424
the school to be on probationary status pursuant to section 425
3314.073 of the Revised Code, suspend the operation of the 426
school pursuant to section 3314.072 of the Revised Code, or 427
terminate the contract of the school pursuant to section 3314.07 428
of the Revised Code as determined necessary by the sponsor; 429

(6) Have in place a plan of action to be undertaken in the 430
event the community school experiences financial difficulties or 431
closes prior to the end of a school year. 432

(E) Upon the expiration of a contract entered into under 433
this section, the sponsor of a community school may, with the 434
approval of the governing authority of the school, renew that 435
contract for a period of time determined by the sponsor, but not 436
ending earlier than the end of any school year, if the sponsor 437
finds that the school's compliance with applicable laws and 438
terms of the contract and the school's progress in meeting the 439
academic goals prescribed in the contract have been 440
satisfactory. Any contract that is renewed under this division 441
remains subject to the provisions of sections 3314.07, 3314.072, 442
and 3314.073 of the Revised Code. 443

(F) If a community school fails to open for operation 444
within one year after the contract entered into under this 445
section is adopted pursuant to division (D) of section 3314.02 446
of the Revised Code or permanently closes prior to the 447
expiration of the contract, the contract shall be void and the 448
school shall not enter into a contract with any other sponsor. A 449
school shall not be considered permanently closed because the 450
operations of the school have been suspended pursuant to section 451
3314.072 of the Revised Code. 452

Sec. 3314.145. (A) A community school, member of a 453
community school governing authority, community school employee 454
or volunteer, community school operator, or employee or 455
volunteer of a community school operator, including a coach, is 456
not liable in damages in a civil action for injury, death, or 457
loss to person or property allegedly arising from providing 458
services or performing duties under section 3313.5310 of the 459
Revised Code, unless the act or omission constitutes willful or 460
wanton misconduct. 461

(B) This section does not eliminate, limit, or reduce any 462
other immunity or defense that a community school, member of a 463
community school governing authority, community school employee 464
or volunteer, community school operator, or employee or 465
volunteer of a community school operator, including a coach, may 466
be entitled to under Chapter 2744. or any other provision of the 467
Revised Code or under the common law of this state. 468

Sec. 3326.11. Each science, technology, engineering, and 469
mathematics school established under this chapter and its 470
governing body shall comply with sections 9.90, 9.91, 109.65, 471
121.22, 149.43, 2151.357, 2151.421, 2313.19, 2921.42, 2921.43, 472
3301.0714, 3301.0715, 3301.948, 3313.14, 3313.15, 3313.16, 473
3313.18, 3313.201, 3313.26, 3313.472, 3313.48, 3313.481, 474
3313.482, 3313.50, 3313.536, 3313.539, 3313.5310, 3313.608, 475
3313.6012, 3313.6013, 3313.6014, 3313.6015, 3313.6020, 3313.61, 476
3313.611, 3313.614, 3313.615, 3313.643, 3313.648, 3313.6411, 477
3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.67, 478
3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 479
3313.718, 3313.719, 3313.7112, 3317.721, 3313.80, 3313.801, 480
3313.814, 3313.816, 3313.817, 3313.86, 3313.89, 3313.96, 481
3319.073, 3319.21, 3319.32, 3319.321, 3319.35, 3319.39, 482
3319.391, 3319.41, 3319.45, 3319.46, 3321.01, 3321.041, 3321.13, 483

3321.14, 3321.17, 3321.18, 3321.19, 3321.191, 3327.10, 4111.17, 484
4113.52, and 5705.391 and Chapters 102., 117., 1347., 2744., 485
3307., 3309., 3365., 3742., 4112., 4123., 4141., and 4167. of 486
the Revised Code as if it were a school district. 487

Sec. 3326.29. (A) A STEM school, member of a STEM school 488
governing body, or STEM school employee or volunteer, including 489
a coach, is not liable in damages in a civil action for injury, 490
death, or loss to person or property allegedly arising from 491
providing services or performing duties under section 3313.5310 492
of the Revised Code, unless the act or omission constitutes 493
willful or wanton misconduct. 494

(B) This section does not eliminate, limit, or reduce any 495
other immunity or defense that a STEM school, member of a STEM 496
school governing body, or STEM school employee or volunteer, 497
including a coach, may be entitled to under Chapter 2744. or any 498
other provision of the Revised Code or under the common law of 499
this state. 500

Sec. 3707.58. (A) As used in this section: 501

(1) "Athletic activity" has the same meaning as in section 502
3313.5310 of the Revised Code. 503

(2) "Youth athlete" means an individual who wishes to 504
practice for or compete in athletic activities organized by a 505
youth sports organization; 506

(3) "Youth sports organization" has the same meaning as in 507
section 3707.51 of the Revised Code. 508

(B) Prior to the start of each athletic season, a youth 509
sports organization that is subject to this section may hold an 510
informational meeting for youth athletes, parents, guardians, 511
other persons having care or charge of a youth athlete, 512

physicians, pediatric cardiologists, athletic trainers, and any 513
other persons regarding the symptoms and warning signs of sudden 514
cardiac arrest for all ages of youth athletes. 515

(C) No youth athlete shall participate in an athletic 516
activity organized by a youth sports organization until the 517
youth athlete has submitted to a designated official of the 518
youth sports organization a form signed by the youth athlete and 519
the parent, guardian, or other person having care or charge of 520
the youth athlete stating that the youth athlete and the parent, 521
guardian, or other person having care or charge of the youth 522
athlete have received and reviewed a copy of the information 523
developed by the departments of health and education and posted 524
on their respective internet web sites as required by section 525
3707.59 of the Revised Code. A completed form shall be submitted 526
each year for each athletic activity in which the youth athlete 527
participates. 528

(D) No individual shall coach an athletic activity 529
organized by a youth sports organization unless the individual 530
has completed, on an annual basis, the sudden cardiac arrest 531
training course approved by the department of health under 532
division (C) of section 3707.59 of the Revised Code. 533

(E) (1) A youth athlete shall not be allowed to participate 534
in an athletic activity organized by a youth sports organization 535
if either of the following is the case: 536

(a) The youth athlete's biological parent, biological 537
sibling, or biological child has previously experienced sudden 538
cardiac arrest, and the youth athlete has not been evaluated and 539
cleared for participation in an athletic activity organized by a 540
youth sports organization by a physician authorized under 541
Chapter 4731. of the Revised Code to practice medicine and 542

surgery. 543

(b) The youth athlete is known to have exhibited syncope 544
or fainting at any time prior to or following an athletic 545
activity and has not been evaluated and cleared for return under 546
division (E) (3) of this section after exhibiting syncope or 547
fainting. 548

(2) A youth athlete shall be removed by the youth 549
athlete's coach from participation in an athletic activity 550
organized by a youth sports organization if the youth athlete 551
exhibits syncope or fainting. 552

(3) If a youth athlete is not allowed to participate in or 553
is removed from participation in an athletic activity organized 554
by a youth sports organization under division (E) (1) or (2) of 555
this section, the youth athlete shall not return to 556
participation until the youth athlete is evaluated and cleared 557
for return in writing by any of the following: 558

(a) A physician authorized under Chapter 4731. of the 559
Revised Code to practice medicine and surgery or osteopathic 560
medicine and surgery; 561

(b) A certified nurse practitioner, clinical nurse 562
specialist, or certified nurse-midwife who holds a certificate 563
of authority issued under Chapter 4723. of the Revised Code; 564

(c) A physician authorized under Chapter 4731. of the 565
Revised Code to practice medicine and surgery or osteopathic 566
medicine and surgery who specializes in cardiology. 567

The licensed health care providers specified in divisions 568
(E) (3) (a) and (b) of this section may consult with any other 569
licensed or certified health care providers in order to 570
determine whether a youth athlete is ready to return to 571

participation. 572

(F) A youth sports organization that is subject to this 573
section shall establish penalties for a coach who violates the 574
provisions of division (E) of this section. 575

(G) (1) A youth sports organization or official, employee, 576
or volunteer of a youth sports organization, including a coach, 577
is not liable in damages in a civil action for injury, death, or 578
loss to person or property allegedly arising from providing 579
services or performing duties under this section, unless the act 580
or omission constitutes willful or wanton misconduct. 581

(2) This section does not eliminate, limit, or reduce any 582
other immunity or defense that a public entity, public official, 583
or public employee may be entitled to under Chapter 2744. or any 584
other provision of the Revised Code or under the common law of 585
this state. 586

Sec. 3707.59. (A) The department of health and the 587
department of education jointly shall develop and shall post on 588
their respective internet web sites guidelines and other 589
relevant materials to inform and educate students participating 590
in or desiring to participate in an athletic activity, their 591
parents, and their coaches about the nature and warning signs of 592
sudden cardiac arrest. These guidelines and materials shall 593
address the risks associated with continuing to participate in 594
an athletic activity after experiencing one or more symptoms of 595
sudden cardiac arrest, such as fainting, difficulty breathing, 596
chest pains, dizziness, and an abnormal racing heart rate. In 597
developing guidelines and other relevant materials under this 598
division, the department of health and the department of 599
education shall consult with the Ohio chapter of the American 600
college of cardiology and with an interscholastic conference or 601

an organization that regulates interscholastic athletic 602
competition and conducts interscholastic athletic events. 603

(B) In developing guidelines and materials under division 604
(A) of this section, the departments may utilize existing 605
materials developed by the parent heart watch organization, the 606
sudden arrhythmia death syndromes foundation, and any other 607
organizations deemed appropriate by the departments. 608

(C) For purposes of the training required for a coach of 609
an athletic activity under division (D) of section 3313.5310 of 610
the Revised Code, the department of health shall approve a 611
sudden cardiac arrest training course offered by an outside 612
entity. 613

Section 2. That existing sections 3314.03 and 3326.11 of 614
the Revised Code are hereby repealed. 615

Section 3. This act shall be known as "Lindsay's Law." 616

Section 4. Section 3314.03 of the Revised Code is 617
presented in this act as a composite of the section as amended 618
by both Am. Sub. H.B. 2 and Am. Sub. H.B. 64 of the 131st 619
General Assembly. The General Assembly, applying the principle 620
stated in division (B) of section 1.52 of the Revised Code that 621
amendments are to be harmonized if reasonably capable of 622
simultaneous operation, finds that the composite is the 623
resulting version of the section in effect prior to the 624
effective date of the section as presented in this act. 625