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To: District Superintendents of BOCES
Superintendents of Public School Districts
Principals of Public Schools
Superintendents and Principals of State-Operated Schools
Charter School Leaders
Chief Emergency Officers

From: Gemma C. Rinefierd, Ed.D.

Subject: Desha's Law - Cardiac Arrest Emergency Response Plans

This memo is intended to assist school districts and charter schools in meeting the requirements of recent amendments to State law regarding cardiac arrest procedures and automated external defibrillator (AED) equipment.

These changes derive from Chapter 189 of the Laws of 2025 and have different effective dates. First, amendments to Education Law §2801-a(3)(a) requiring that policies and procedures for response to sudden cardiac arrest be included in building level emergency response plans are effective September 1, 2025. Second, amendments to Education Law §§ 917 and 2801-a (2) regarding AED equipment, AED maintenance and signage, and school safety training regarding cardiac emergency response plans in district-wide school safety plans are effective January 20, 2026.

The new requirements for the development of a cardiac emergency response plan essentially formalize and embed within district-wide school safety plans and building-level emergency response plans, preexisting emergency protocols to respond to sudden cardiac arrest and other life-threatening emergencies. The requirements, as now set forth in the amendments to Education Law § 2801-a(2)(n), are:

- The use of appropriate personnel to respond to incidents involving any individual experiencing sudden cardiac arrest or similar life-threatening emergency on any school site owned or operated by a school or at a location of a school sponsored event, including but not limited to all athletic programs.
- Specific procedures for incidents involving an individual experiencing sudden cardiac arrest or a similar life-threatening emergency while attending or participating in an athletic practice or event while on school grounds that are venue specific.
- Integration of nationally recognized, evidence-based core elements, such as those recommended by the American Heart Association.
- Consideration of how to best integrate cardiac emergency response plans into community Emergency Medical Services (EMS) responder protocols.

New requirements for building-level emergency response plans include building and venue specific requirements and procedures that address medical needs, transportation, and emergency notification of parents/guardians in the event of a sudden cardiac arrest incident.

Schools are already required to do so pursuant to the following laws and regulations:

- Education Law [§917](#) and Commissioner's regulation [§136.4](#) require that schools have sufficient AEDs to ensure ready and appropriate access for use during emergencies¹ and at least one staff member who is trained in Cardiopulmonary Resuscitation (CPR) and the use of AEDs pursuant [Public Health Law §3000-b\(3\)\(a\)](#) at school instructional facilities, including school-sponsored or school - approved curricular or extracurricular events or activities.
- [Amendment to First Aid Knowledge and Skills Requirements for Coaches](#) requires school athletic coaches to be certified in CPR/AED and basic first aid by a nationally recognized organization as defined in [Public Health Law §3000-b](#).
- In addition, Public Health Law (PHL) §3000-b requires that public schools be public access providers and comply with all requirements as such, including:
 - A collaborative agreement with an emergency health care provider which includes written practice protocols, policies, and procedures.
 - Training in CPR/AED by a nationally approved organization or the state emergency medical services council.
 - Appropriate maintenance and testing of AEDs according to applicable standards of the manufacturer and any appropriate government agency.
 - Posting signage at the main entrance to school buildings indicating the locations of the AEDs.
 - Notification to the EMS Regional Council of the location and types of AEDs it possesses.
 - Reporting of every AED use to the local EMS and the emergency health care provider.
- The Dominic Murray Sudden Cardiac Arrest Prevention Act requires schools to immediately remove from physical or athletic activities any student with signs and symptoms of a sudden cardiac arrest (SCA) and requires schools to instruct students, parents, and staff in the signs and symptoms of sudden cardiac arrest.

The Department has previously outlined these requirements in [Managing Emergency Health Care and Communicable Diseases in the School Setting](#), including the development of written emergency healthcare protocols and procedures that take into account the school's available resource, school personnel roles and responsibilities, and staff training. Schools are strongly encouraged to consult their Director of School Health Services (a.k.a., medical director) when creating emergency health policies, protocols, and procedures, including the cardiac emergency response plan.

Effective January 20, 2026, amendments to Education Law § 2801-a(2)(h) require that the school safety training for students and staff required in the district-wide school safety plan must now include training in sudden cardiac arrest. Additionally, effective January 20, 2026, Education Law § 2801-a(2)(n), provides that district-wide school safety teams may provide voluntary first aid, CPR, and AED training to school staff, including members of the building level emergency response teams. If provided, then Education Law and Commissioner's regulations referenced above require such training to be in accordance with PHL §3000-b.

Adding Cardiac Arrest Emergency Response Plan to Safety Plans

The Education Law and Commissioner's regulations require that boards adopt building-level Emergency Response Plans (ERP) and district-wide school safety plans by September 1 and submit them to the department by October 1 each year.² The portal for schools to submit ERPs has been

¹ See [American Heart Association AED Guide, American Heart Association - Implementing an AED Program](#) and [Part 4: The Automated External Defibrillator | Circulation](#)

² See information regarding developing and submitting plans in annual reporting memos for [public schools, districts and BOCES](#) and [charter schools](#).

open since early July and many schools have already adopted and submitted their 2025-26 school year plans. To accommodate the amendments, the department will move forward as follows with ERPs:

1. On August 19, 2025, the Department will close the portal collection for 2025-26 ERPs to update the template to include cardiac emergency response plan as part of the existing “Public Health, Medical, and Mental Health Annex” in the ERP template survey. The new annex will be titled “Cardiac Emergency Response Plan, Public Health, Medical and Mental Health Annex.”
2. ERPs that have already been submitted by schools for the 2025-26 school year will be unsubmitted to allow the school to amend their plan.
3. The Department will re-open the portal on August 20, 2025, for schools to submit their updated plans.
4. All schools should make updates to their ERPs to include the new cardiac emergency response plan as part of the Cardiac ERP, Public Health, Medical and Mental Health Annex.” and submit to the portal by the October 1, 2025, or as soon as practicable.

A sample Cardiac Emergency Response Plan annex, based on recommendations from nationally recognized organizations, is provided below to assist schools in updating their building-level emergency response plans before the October 1, 2025, submission deadline.

Public school districts, BOCES and charter schools that have updated their 2025-26 school year district-wide school safety plan and have posted it for public comment or have already adopted the plan at a public hearing should move forward and complete the process.

1. The Portal for submissions of 2025-26 district-wide school safety plans will open on August 25, 2025.
2. LEAs should post their adopted plan on the LEA website and submit the URL and other required information in the portal by October 1, 2025.
3. LEAs should amend their plan to include the new requirements and hold at least one public hearing that provides for school personnel, student, and public participation. The amended plan should be posted for public comment at least 30 days before the January 20, 2026, implementation date.
4. Amended plans may be posted at the same URL as the initial plan. If the URL has not changed, it is unnecessary to revise what has been submitted to NYSED via the LEA District Safety Plan URL and Information. If the URL has changed from the initial plan, please send an email to SafetyPlans@nysed.gov to request that your plan be unsubmitted for correction to include the new, updated link.

In preparation for the amendments to Education Law §917 effective January 20, 2026, requiring AEDs in schools are clearly marked, accessible, and maintained consistent with guidelines by the American Heart Association or other nationally recognized guidelines focused on emergency cardiovascular care, we have provided links to several of these organizations, some of which reference using manufacturer’s guidance for maintenance of the AED. Most AED storage cabinets and portable bags or similar containers clearly mark the device as an AED. Schools are encouraged to review the signage on their AEDs and their testing and maintenance protocols to ensure they meet the requirements.

For questions, please contact the Office of Student Support Services at studentsupportservices@nysed.gov or 518-486-6090.

Sample Cardiac Emergency Response Annex

All staff know where Automatic External Defibrillators (AEDs) are located and how to call for help. AED cases should contain supplies for first responders including gloves, CPR barrier device, and scissors. Staff outside or off school property should always carry communication devices and emergency contact information for assistance.

Warning signs or signs of a Sudden Cardiac Arrest (SCA) or similar life-threatening emergency:

- Racing heart, palpitations, or irregular heartbeat
- Dizziness, lightheadedness, or extreme fatigue with exercise
- Chest pain or discomfort with exercise
- Excessive shortness of breath during exercise
- Excessive unexpected fatigue during or after exercise
- History of recurrent fainting or unusual seizures
- Sudden collapse or “passes out”
- Not responsive
- Abnormal breathing
- No pulse

Steps to take in school building, on school grounds, or at athletic events

- 1. Ensure scene safety**
 - Survey the area to protect victim, yourself, and anyone else nearby (e.g., remove victim from water or unstable surface to a stable level surface, cease athletic play, move bystanders from area etc.)
- 2. Shout for help. If alone, call for Emergency Medical Services (EMS) via 911 or in accordance with district policy and obtain Automatic External Defibrillator (AED)**
 - Follow 911 emergency dispatcher’s instructions.
 - Call for any Certified Cardiopulmonary Resuscitation (CPR)/Automatic External Defibrillator (AED) school personnel and notify administration or designee*.
- 3. CPR by CPR/AED certified school personnel**
 - Check for breathing- if none or person gasping begin CPR immediately.
- 4. Defibrillation by CPR/AED certified school personnel**
 - Use an AED to restore the heart to its normal rhythm.
- 5. EMS assumes lead upon arrival.**
 - If a student is the person needing care, school administration or designee should accompany the student to the hospital until the parent/guardian arrives.
 - Be prepared to download the school’s AED data onto flash drive to provide to EMS to give to the emergency department’s physician.
- 6. School administration or designee notifies**
 - parent/guardian or staff member’s emergency contact in accordance with district policy.
- 7. Document**
 - In accordance with district policy, document event including observations, all steps taken and by whom, who was notified, and information reported to EMS.
- 8. Hold a post event debriefing**

***Emergency contact numbers for obtaining help:**

Number to call for help in school building

Number to call for help on school grounds

Number to call to notify if SCA occurs at offsite location

Secondary contact number if primary not available

CPR/AED Certified School Personnel

Staff Name	Title	Telephone Number	Location	Availability
				<input type="checkbox"/> Before School <input type="checkbox"/> After School <input type="checkbox"/> School Day <input type="checkbox"/> Athletic Events <input type="checkbox"/> School Events <input type="checkbox"/> Other
				<input type="checkbox"/> Before School <input type="checkbox"/> After School <input type="checkbox"/> School Day <input type="checkbox"/> Athletic Events <input type="checkbox"/> School Events <input type="checkbox"/> Other
				<input type="checkbox"/> Before School <input type="checkbox"/> After School <input type="checkbox"/> School Day <input type="checkbox"/> Athletic Events <input type="checkbox"/> School Events <input type="checkbox"/> Other
				<input type="checkbox"/> Before School <input type="checkbox"/> After School <input type="checkbox"/> School Day <input type="checkbox"/> Athletic Events <input type="checkbox"/> School Events <input type="checkbox"/> Other

Automated External Defibrillator (AED) Locations

Note: All AEDs should be clearly labeled and stored in appropriate storage containers, cabinets, or go bags/cases.

Number of AEDs needed inside the building and at each athletic practice and event:

AED Locations³:

³ AED locations should be noted on building level emergency response plan required school building map in accordance with Commissioner's regulation 155.17(c)(2)(iii).

Resources

[AHA Cardiac Emergency Response Plan and Protocol](#)

[AED Fact Sheet - American Heart Association CPR & First Aid](#)

[AED Steps | Steps to Use an AED | Red Cross](#)

[American Heart Association Out of Hospital Chain of Survival](#)

[About Cardiac Arrest | Heart Disease | CDC](#)

[Eric Paredes Save a Life Foundation](#)

[Heart Safe Schools](#)

[New York State Department of Health Issues A Health Advisory On Proper Use of Automated External Defibrillators In Pediatric Emergency Care](#)

[New York State Department of Health Sudden Cardiac Arrest \(SCA\) in Youth](#)

[Parent Heart Watch Cardiac Emergency Response Plan](#)

[Project Adam Saves Lives](#)

[Sudden Cardiac Arrest - Heart Screen NY](#)

[What is SCA? | Dominic A. Murray 21 Memorial Foundation](#)