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Title 49 Education  
Chapter 2 Local Administration  
Part 1 General Provisions

Tenn. Code Ann. § 49-2-122 (2017)

**49-2-122. Placement of automated external defibrillator (AED) devices in schools.**

**(a)** LEAs are encouraged, within existing budgetary limits, to place automated external defibrillator (AED) devices in schools.

**(b) (1)** Any school that receives an AED shall comply with all provisions of title 68, chapter 140, part 4 relative to training, establishment of a written plan that complies with § 68-140-404, notification and other requirements. Any LEA that places AEDs in schools shall comply with § 68-140-404 as to the maintenance and testing of the AEDs to ensure that the devices are in optimal operating condition.

**(2) (A)** A public school having one (1) or more AEDs shall schedule annual AED training for all school personnel. Staff meetings or in-service days allocated under § 49-5-414 for training programs in emergency first aid and cardiopulmonary resuscitation (CPR) may be used, in whole or in part, for the purposes of this subdivision (b)(2).

**(B)** The annual AED training shall:

**(i)** Teach the use of AEDs;

**(ii)** Inform school personnel of the locations of AEDs;

**(iii)** Inform school personnel of the school's response plan; and

**(iv)** Inform school personnel of the members of the school response team.

**(C)** A school having one (1) or more AEDs shall also conduct an annual

cardiopulmonary resuscitation (CPR) and AED drill for school personnel to practice the use of these life saving measures and to evaluate the school's preparedness in the event of a sudden cardiac arrest.

**(D)** In planning the annual training in the use of AEDs and the annual CPR/AED drills, LEAs and schools may contact other schools with training programs in existence and Project ADAM Tennessee for recommendations as to the development of appropriate programs or for guidance in using existing programs. The training shall be aligned with Project ADAM guidelines for Heart Safe Schools, and the American Heart Association Guidelines for Cardiopulmonary Resuscitation and Emergency Cardiovascular Care.

**(E)** This subdivision (b)(2) shall not apply to any school operated by or under contract with the department of children's services.

**(c)** Each placement of an AED shall be supervised and endorsed by a physician with an unrestricted license to practice medicine or osteopathy in this state. When a school receives its first AED, it shall place the AED in a location that may be accessed readily from any area of the school, which may include those areas of the school that are used for physical education or activity. Subsequently, additional AEDs shall be placed in locations that are accessible during emergency situations. AEDs shall not be placed in an office that is not accessible to any person who might need to use the AED or in any location that is locked during times that students, parents or school employees are present at school or school events.

**(d)** AEDs placed in schools shall be registered with local emergency medical services providers as required by §§ 68-140-403(2) and 68-140-404(6).

**(e)** LEAs and schools responsible for an AED program pursuant to § 68-140-404(1) shall not be liable for any civil liability for any personal injury that results from an act or omission that does not amount to willful or wanton misconduct or gross negligence if the applicable provisions and program established under § 68-140-404 and the rules adopted by the department pursuant to § 68-140-405 have been met by the LEA and school and have been followed by the individuals using the AED.

**(f)** A teacher, school employee or other person employed by the LEA responsible for an AED program pursuant to § 68-140-404(1) shall not be liable for any civil liability for any personal injury that results from an act or omission that does not amount to willful or wanton misconduct or gross negligence if the applicable provisions and program established under § 68-140-404 and the rules adopted by the department pursuant to § 68-140-405 have been met by the LEA and school and have been followed by the individuals using the AED.

**(g)** Misuse or abuse of any AED device on school property by a student is disorderly conduct and the student shall be subject to disciplinary action.

**HISTORY:** Acts 2008, ch. 795, §§ 2, 4; 2010, ch. 819, § 2; 2011, ch. 179, § 1; 2016, ch. 677, § 1.