

118TH CONGRESS  
2D SESSION

# H. R. 9635

To amend the Elementary and Secondary Education Act of 1965 to authorize a grant program to support students who have epilepsy or a seizure disorder.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 17, 2024

Mr. NORCROSS (for himself, Mr. COSTA, Mr. BACON, Ms. NORTON, Mr. TONKO, and Mr. FITZPATRICK) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To amend the Elementary and Secondary Education Act of 1965 to authorize a grant program to support students who have epilepsy or a seizure disorder.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Seizure Awareness and  
5 Preparedness Act”.

1 **SEC. 2. GRANT PROGRAM TO SUPPORT STUDENTS WHO**  
2 **HAVE EPILEPSY OR A SEIZURE DISORDER.**

3 (a) IN GENERAL.—Title IV of the Elementary and  
4 Secondary Education Act of 1965 (20 U.S.C. 7101 et  
5 seq.) is amended by adding at the end the following:

6 **“PART G—GRANT PROGRAM TO SUPPORT STU-**  
7 **DENTS WHO HAVE EPILEPSY OR A SEIZURE**  
8 **DISORDER**

9 **“SEC. 4701. GRANT PROGRAM TO SUPPORT STUDENTS WHO**  
10 **HAVE EPILEPSY OR A SEIZURE DISORDER.**

11 “(a) DEFINITIONS.—In this section:

12 “(1) INDIVIDUALIZED EMERGENCY HEALTH  
13 CARE PLAN.—The term ‘individualized emergency  
14 health care plan’ means a document developed by a  
15 student’s health care provider, in consultation with  
16 the parent of a student with epilepsy or a seizure  
17 disorder, other appropriate medical professionals  
18 who may be providing epilepsy or seizure disorder  
19 care to the student, and the school nurse or special-  
20 ized instructional support personnel, which outlines  
21 a set of procedural guidelines that provide specific  
22 directions about what to do in a particular emer-  
23 gency situation and is signed by the health care pro-  
24 vider, the parent, and the school nurse or specialized  
25 instructional support personnel.

1           “(2) INDIVIDUALIZED HEALTH CARE PLAN.—

2           The term ‘individualized health care plan’ means a  
3           document developed by a student’s health care pro-  
4           vider, in consultation with the parent of a student  
5           with epilepsy or a seizure disorder, other appropriate  
6           medical professionals who may be providing epilepsy  
7           or seizure disorder care to the student, and the  
8           school nurse or specialized instructional support per-  
9           sonnel, which is consistent with the recommenda-  
10          tions of the student’s health care provider and which  
11          sets out the health services needed by the student at  
12          school and is signed by the health care provider, the  
13          parent, and the school nurse or specialized instruc-  
14          tional support personnel.

15          “(b) AUTHORIZATION OF GRANT PROGRAM.—The  
16          Secretary shall award grants to States, on a competitive  
17          basis, to enable the States to award subgrants to local  
18          educational agencies to carry out a program that supports  
19          students with epilepsy and seizure disorders in schools.

20          “(c) APPLICATIONS FOR GRANTS.—A State that de-  
21          sires to receive a grant under this section shall submit an  
22          application to the Secretary at such time, in such manner,  
23          and accompanied by such information as the Secretary  
24          may require.

25          “(d) SUBGRANTS AUTHORIZED.—

1           “(1) IN GENERAL.—A State that receives a  
2           grant under this section shall use the grant funds to  
3           award subgrants to local educational agencies to en-  
4           able the local educational agencies to carry out a  
5           program that funds training of school personnel on  
6           seizure awareness and preparedness that covers indi-  
7           vidualized health care plans and individualized emer-  
8           gency health care plans for students who have epi-  
9           lepsy or a seizure disorder.

10           “(2) APPLICATIONS FOR SUBGRANTS.—A local  
11           educational agency that desires to receive a subgrant  
12           under this subsection shall submit an application to  
13           the State at such time, in such manner, and accom-  
14           panied by such information as the State may re-  
15           quire.

16           “(3) USE OF SUBGRANT FUNDS.—

17           “(A) IN GENERAL.—

18           “(i) REQUIRED USE.—A local edu-  
19           cational agency that receives a subgrant  
20           under this subsection shall use the  
21           subgrant funds to carry out a program in  
22           the elementary schools and secondary  
23           schools served by such agency to fund  
24           training of school personnel on seizure  
25           awareness and preparedness that covers in-

1 individualized health care plans and individ-  
2 ualized emergency health care plans for  
3 students who have epilepsy or a seizure  
4 disorder.

5 “(ii) PERMISSIVE USES.—A local edu-  
6 cational agency that receives a subgrant  
7 under this subsection may use the  
8 subgrant funds for—

9 “(I) training of school personnel  
10 to administer or assist with the ad-  
11 ministration of seizure medications;

12 “(II) training and education of  
13 students on seizure awareness and  
14 preparedness;

15 “(III) recruiting, hiring, and re-  
16 taining dedicated compliance staff  
17 who are responsible for ensuring that  
18 all training and program requirements  
19 related to seizure awareness, pre-  
20 paredness, and management are con-  
21 sistent met; and

22 “(IV) other activities or pro-  
23 grams determined appropriate by the  
24 Secretary.

1           “(B) INFORMATION INCLUDED.—It is rec-  
2 ommended that each individualized health care  
3 plan and each individualized emergency health  
4 care plan include the following information:

5           “(i) Written orders from the student’s  
6 physician or advanced practice nurse out-  
7 lining the epilepsy or seizure disorder care.

8           “(ii) The symptoms of the epilepsy or  
9 seizure disorder for that particular student  
10 and recommended care.

11           “(iii) Full participation in exercise  
12 and sports, and any contraindications to  
13 exercise, or accommodations that shall be  
14 made for that particular student.

15           “(iv) Accommodations for school trips,  
16 after-school activities, class parties, and  
17 other school-related activities.

18           “(v) Education of all school personnel  
19 about epilepsy and seizure disorders, how  
20 to recognize and provide care for epilepsy  
21 and seizure disorders, and when to call for  
22 assistance.

23           “(vi) Medical and treatment issues  
24 that may affect the educational process of

1 the student with epilepsy or the seizure  
2 disorder.

3 “(vii) The student’s ability to manage,  
4 and the student’s level of understanding of,  
5 the student’s epilepsy or seizure disorder.

6 “(viii) How to maintain communica-  
7 tion with the student, the student’s parent  
8 and health care team, the educational  
9 staff, and the school nurse or specialized  
10 instructional support personnel.

11 “(C) TRAINING REQUIRED.—

12 “(i) IN GENERAL.—Each local edu-  
13 cational agency carrying out a program  
14 supported with subgrant funds shall ensure  
15 that the school nurse or specialized in-  
16 structional support personnel assigned to a  
17 particular elementary school or secondary  
18 school supported by the program—

19 “(I) coordinates the provision of  
20 epilepsy and seizure disorder care at  
21 such school; and

22 “(II) ensures that all staff are  
23 trained not less often than every 2  
24 years in the care of students with epi-  
25 lepsy and seizure disorders, including

1 staff working with school-sponsored  
2 programs outside of the regular school  
3 day, as provided in individualized  
4 health care plans and individualized  
5 emergency health care plans.

6 “(ii) INSTRUCTION.—The training re-  
7 quired under clause (i) shall include a De-  
8 partment of Education-approved on-line or  
9 in-person course of instruction provided by  
10 1 or more nonprofit national organizations  
11 that support the welfare of individuals with  
12 epilepsy and seizure disorders.

13 “(D) SCHOOL BUS DRIVERS.—Each local  
14 educational agency carrying out a program sup-  
15 ported with subgrant funds shall ensure that  
16 each school bus driver who transports a student  
17 with epilepsy or a seizure disorder receives no-  
18 tice of the student’s condition, information on  
19 how to provide care for epilepsy or the seizure  
20 disorder, emergency contact information, epi-  
21 lepsy and seizure disorder recognition and first  
22 aid training, and parent contact information.

23 “(E) RELEASE.—Each local educational  
24 agency carrying out a program supported with  
25 subgrant funds shall ensure that the school



1 nurse or specialized instructional support per-  
2 sonnel assigned to a particular elementary  
3 school or secondary school supported by the  
4 program obtains a release from each parent of  
5 a student with epilepsy or a seizure disorder  
6 who requests an individualized health care plan  
7 or an individualized emergency health care plan,  
8 to authorize the sharing of medical information  
9 between the student’s physician or advanced  
10 practice nurse and other health care providers.

11 “(F) NO LIABILITY.—No school employee,  
12 including a school nurse or specialized instruc-  
13 tional support personnel, a school bus driver, a  
14 school bus aide, or any other officer or agent of  
15 a local educational agency, shall be held liable  
16 for any good faith act or omission consistent  
17 with the provisions of this section. Good faith  
18 shall not include willful misconduct, gross neg-  
19 ligence, or recklessness.

20 “(e) SUPPLEMENT; NOT SUPPLANT.—Grant and  
21 subgrant funds provided under this section shall be used  
22 to supplement, not supplant, other Federal or State funds  
23 available to carry out activities described in this section.

24 “(f) AUTHORIZATION OF APPROPRIATIONS.—There  
25 is authorized to be appropriated to carry out this section

1 \$34,500,000 for the period of fiscal years 2024 through  
2 2028.”.

3 (b) TABLE OF CONTENTS.—The table of contents in  
4 section 2 of the Elementary and Secondary Education Act  
5 of 1965 is amended by inserting after the item relating  
6 to section 4644 the following new items:

“PART G—GRANT PROGRAM TO SUPPORT STUDENTS WHO HAVE EPILEPSY  
OR A SEIZURE DISORDER

“Sec. 4701. Grant program to support students who have epilepsy or a seizure  
disorder.”.

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