



**TO:** The Honorable Members of the Board of Regents

**FROM:** Angelique Johnson-Dingle *Angelique Johnson-Dingle*

**SUBJECT:** Proposed Amendment of Section 135.5 of the Regulations of the Commissioner of Education Relating to First Aid Requirements for Coaches

**DATE:** July 3, 2025

**AUTHORIZATION(S):** *Don M. B.* *Betty M.*

### **SUMMARY**

#### **Issue for Decision (Consent)**

Should the Board of Regents adopt the proposed amendment of section 135.5 of the Regulations of the Commissioner of Education relating to first aid requirements for coaches?

#### **Reason for Consideration**

Review of policy.

#### **Proposed Handling**

The proposed amendment is submitted to the Full Board for adoption as a permanent rule at the July 2025 Regents meeting. A copy of the proposed rule (Attachment A) is attached.

#### **Procedural History**

The proposed amendment was presented to the P-12 Education Committee for discussion at the March 2025 meeting of the Board of Regents. A Notice of Proposed Rule Making was published in the State Register on March 26, 2025, for a 60-day public comment period. Following publication in the State Register, the Department received comments on the proposed amendment. An Assessment of Public Comment (Attachment B) is attached. No changes to the proposed amendment are recommended at this time. If adopted at the July 2025 meeting, a Notice of Adoption will be published in the State Register on July 30, 2025. Supporting materials are available upon request to the Secretary of the Board of Regents.

## **Background Information**

Education Law §§ 3001-b and 3001-c require all coaches of extra class periods in physical education in the state to have valid certification in first aid knowledge and skills. Specifically, the law requires coaches to hold a valid certificate of completion of a course of study in first aid knowledge and skills offered by a nationally recognized organization, as defined in the Public Health Law § 300-b(1)(d) and approved by the Commissioner — or the equivalent as determined by the Commissioner.

When first implementing these requirements, the Department developed a first aid course outline that served as an equivalent to the statutory requirements. Department-approved instructors of first aid courses then determined the content of the course in accordance with the Department's outline. However, the course outline has not been updated in 40 years.

Over the last 20 years, coaches in public and nonpublic schools have increasingly relied on first aid courses provided by nationally recognized organizations. To ensure consistency with Education Law §§ 3001-b and 3001-c, the Department has evaluated these courses to ensure that they contain the same content as the Department-developed course outline. However, this process proved difficult due to the frequency with which nationally recognized organizations update their curricula, including changes to their course names. The Department's inability to keep track of these changes sometimes led to coaches having to take supplemental first-aid training.

Additionally, due to the specificity of the topics in the Department course outline, only advanced first aid courses from nationally recognized organizations have previously been approved. This level of first aid knowledge is not statutorily required for coaches, as their role is primarily to provide support while awaiting the arrival of professional health responders and/or a parent/guardian. Moreover, the complexities of advanced first aid are generally not retained unless used on a routine basis, and coaches rarely have the opportunity to use advanced first aid during athletic competitions. Alternatively, basic or standard first aid courses cover a broad range of topics, including those areas covered in the Department approved outline (see Attachment B in the February 2025 Regents Item referenced below) and are better suited to the types of health emergencies that a coach may encounter.

Thus, the proposed regulation eliminates reference to a Department-developed outline, simplifies equivalent training in first aid knowledge and skills, clarifies the first aid training a coach must receive (which includes first aid knowledge and skills, recognizing the signs and symptoms of cardiac arrest, and use of an automatic defibrillator), and clarifies that basic first-aid courses provided by nationally recognized organizations are sufficient to meet the standards of first-aid care expected of coaches. The proposed regulations also define cardiopulmonary resuscitation, first aid, first aid training, first responders, and nationally recognized organizations. The Department anticipates that these changes will ensure that coaches take courses developed by experts, reduce confusion in the field, and promote consistency in first-aid training.

## **Related Regents Items**

[February 2025: Proposed Amendment of Section 135.5 of the Regulations of the Commissioner of Education Relating to First Aid Requirements for Coaches.](https://www.regents.nysed.gov/sites/regents/files/325p12d2.pdf)  
(<https://www.regents.nysed.gov/sites/regents/files/325p12d2.pdf>)

[September 2022: Proposed amendment of Section 135.5 of the Regulations of the Commissioner of Education Relating to the Dominick Murray Sudden Cardiac Arrest Act.](https://www.regents.nysed.gov/sites/regents/files/922p12a5.pdf)  
(<https://www.regents.nysed.gov/sites/regents/files/922p12a5.pdf>)

## **Recommendation**

It is recommended that the Board of Regents take the following action:

VOTED: That section 135.5 of the Regulations of the Commissioner of Education be amended, as submitted, effective July 30, 2025.

## **Timetable for Implementation**

If adopted at the July 2025 meeting, the proposed amendment will become effective as a permanent rule on July 30, 2025.

AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 101, 207, 305, 3001-b, and 3001-c of the Education Law.

Section 135.5 of the Regulations of the Commissioner of Education is amended to read as follows:

(a) Definitions. As used in this section:

(1) *Cardiopulmonary resuscitation (CPR)* means measures performed in an attempt to restore cardiac function or to support ventilation in the event of a cardiac or respiratory arrest.

(2) *First aid* means simple, one-time treatment for minor illness or injury, or to provide basic support until professional healthcare can be obtained. First aid is intended to minimize the impact of an injury or illness and prevent it from worsening, and is usually given immediately at the location where the injury or illness occurred.

(3) *First aid training* means a course from a nationally recognized organization that provides instruction on how to perform simple first aid procedures.

(4) *First responder* means a firefighter, law enforcement officer, paramedic, emergency medical technician, or other individual (including an employee of a legally organized and recognized volunteer organization, whether compensated or not) who, in the course of their professional duties, responds to fire, medical, hazardous material, or other similar emergencies.

(5) *Nationally recognized organization*, as defined in paragraph (d) of subdivision one of section three thousand-b of the public health law, means a national organization approved by the New York State Department of Health for the purpose of training people in the use of an automated external defibrillator.

~~[(a)]~~(b) Coaches of extra class periods in physical education, as defined in section 135.1(h) of this Part, shall ~~[meet the requirements of this section]~~ hold valid certification from a nationally recognized organization or meet equivalent requirements as set forth in this section, in:

(1) first aid knowledge and skills; and

(2) recognizing signs and symptoms of cardiac arrest; sudden cardiac arrest and the administration of adult cardiopulmonary resuscitation as defined in Public Health Law §3000-b(1)(d); and use of an automatic external defibrillator as defined in Public Health Law §3000-b(3)(a).

~~[(b) Except as provided in subdivision (c) of this section, all coaches must hold valid certification in first aid knowledge and skills, including instruction in the administration of adult cardiopulmonary resuscitation, as issued by a nationally recognized organization, as defined in Public Health Law §3000-b(1)(d), or meet equivalent requirements as set forth in this section.]~~

~~[(c) By January 15, 1993, all coaches employed on or after January 15, 1992, must hold valid certification in first aid knowledge and skills, including instruction in administration of adult cardiopulmonary resuscitation and instruction in recognizing signs and symptoms of cardiac arrest and sudden cardiac arrest, as issued by a nationally recognized organization, as defined in Public Health Law §3000-b(1)(d), or meet equivalent requirements as set forth in this section.]~~

~~[(d)]~~ (c) For the purpose of this section, the following shall be deemed ~~[as]~~ equivalent to certification in first aid knowledge and skills ~~[, including instruction in administration of adult cardiopulmonary resuscitation as issued by a nationally recognized organization, as defined in Public Health Law §3000-b(1)(d)]:~~

[(1) completion of an approved course for coaches in first aid knowledge and skills, including instruction in administration of adult cardiopulmonary resuscitation and instruction in recognizing signs and symptoms of cardiac arrest and sudden cardiac arrest;]

[(2) completion of an approved college or university first aid knowledge and skills course, including instruction in administration of adult cardiopulmonary resuscitation and instruction in recognizing signs and symptoms of cardiac arrest and sudden cardiac arrest;]

[(3) completion of approved college or university courses in athletic training and sports medicine, which include first aid knowledge and skills, including instruction in administration of adult cardiopulmonary resuscitation and instruction in recognizing signs and symptoms of cardiac arrest and sudden cardiac arrest; or]

[(4) equivalent experience, which is approved by the Commissioner of Education]

(1) a health care practitioner licensed or certified under Title VIII of the Education Law; or

(2) first responders as defined in this section.

[(e)] (d) [Except as provided in subdivision (c) of this section, prior] Prior to the start of each sports season, coaches must provide [valid evidence] documentation to [their chief school officer ] school administration that their first aid and adult cardiopulmonary resuscitation [knowledge and skills] certifications are current pursuant to the requirements established by a nationally recognized organization, as defined in Public Health Law §3000-b(1)(d), or that they meet equivalent requirements as set forth in subdivision [(d)] (c) of this section.

ASSESSMENT OF PUBLIC COMMENT

Following the publication of the Notice of Emergency Adoption and Proposed Rule Making in the State Register on March 26, 2025, the Department received the following comments on the proposed rule:

1. COMMENT: One commenter asked if NYSED's list of Courses Accepted as Meeting the Coaches' First Aid Requirement will be updated to reflect the new requirements in the proposed rule, and if so, if the list will be available prior to the rule's adoption.

DEPARTMENT RESPONSE: The Department will no longer update or distribute the list of Courses Accepted as Meeting the Coaches' First Aid Requirement. The proposed rule requires coaches to take a basic first aid course and a CPR/AED course from a nationally recognized organization as defined in Public Health Law §3000-b(1)(d). School administrators will be responsible for ensuring the requirements of the proposed rule are met.

2. COMMENT: One commenter asked if the CPR/AED/First Aid or BLS credential through the Red Cross will meet the requirements of the proposed rule.

DEPARTMENT RESPONSE: First aid training is defined in the proposed rule as a course from a nationally recognized organization that provides instruction on how to perform simple first aid procedures. Basic first aid courses from nationally recognized organizations, including those offered by the Red Cross, will likely meet this requirement. However, school administrators will be responsible for ensuring the requirements of the proposed rule are met.

3. COMMENT: One commenter requested that the proposed rule not be adopted at the July Board of Regents meeting. The commenter indicated that the “change will take some time” since employees in their school have already signed up for a first aid class scheduled in August 2025, and if that class is “no longer acceptable we will have people scrambling to get certified by some other course before the start of fall sports.” The commenter suggested that the proposed rule instead be adopted in January 2026.

DEPARTMENT RESPONSE: All instructors of the NYSED first aid course outline are required to be certified instructors for a nationally recognized organization such as the American Red Cross, American Heart Association, National Safety Council, EMS Services, or NYS Department of Health. Therefore, based on the information presented by the commenter, the August 2025 class should satisfy the new regulatory standard.

4. COMMENT: One commenter requested to speak with someone in the Department regarding the proposed rule to better understand the changes and provide their professional opinion on the proposed rule.

DEPARTMENT RESPONSE: As the commenter did not provide any specific issues or significant alternatives, no response is necessary.