

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE PRINCIPAL CLERK

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HOUSE DRH80222-LH-71 (02/12)

Short Title: Gold Star Officer Program/School Volunteer. (Public)

Sponsors: Representatives Arp, Horn, Faircloth, and Johnson (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE SHERIFF AND THE CHIEF OF POLICE TO ESTABLISH
3 A VOLUNTEER SCHOOL SAFETY RESOURCE OFFICER PROGRAM, TO
4 COORDINATE THE PLACEMENT OF VOLUNTEER SCHOOL SAFETY RESOURCE
5 OFFICERS ON EDUCATIONAL PROPERTY AS REQUESTED BY THE LOCAL
6 BOARD OF EDUCATION, AND TO PROVIDE THAT VOLUNTEER SCHOOL
7 SAFETY RESOURCE OFFICERS MAY CARRY HANDGUNS ON EDUCATIONAL
8 PROPERTY WHILE ON OFFICIAL DUTY.

9 The General Assembly of North Carolina enacts:

10 **SECTION 1.** This act shall be known as the Gold Star Officer Program Act.

11 **SECTION 2.** G.S. 14-269.2(a) is amended by adding a new subdivision to read:

12 "(3a) Volunteer school safety resource officer. – A person who volunteers as a
13 school safety resource officer as provided by G.S. 162-25 or
14 G.S. 160A-288.4."

15 **SECTION 3.** G.S. 14-269.2(g) is amended by adding a new subdivision to read:

16 "(g) This section shall not apply to any of the following:

17 ...

18 (7) A volunteer school safety resource officer providing security at a school
19 pursuant to an agreement as provided in G.S. 115C-47(61) and either
20 G.S. 162-25 or G.S. 160A-288.4; provided that the volunteer school safety
21 resource officer is acting in the discharge of the person's official duties and
22 is on the educational property of the school that the officer was assigned to
23 by the head of the appropriate local law enforcement agency."

24 **SECTION 4.** G.S. 115C-47 is amended by adding a new subdivision to read:

25 "**§ 115C-47. Powers and duties generally.**

26 In addition to the powers and duties designated in G.S. 115C-36, local boards of education
27 shall have the power or duty:

28 ...

29 (61) To Provide a Safe School Environment. – Local boards of education may
30 enter into an agreement with the sheriff, chief of police of a local police
31 department, or chief of police of a county police department to provide
32 security at the schools by assigning volunteer school safety resource officers
33 who meet the selection standards and criteria developed by the head of the
34 appropriate local law enforcement agency and the criteria set out in
35 G.S. 162-25 or G.S. 160A-288.4 as appropriate."

36 **SECTION 5.** G.S. 160A-282(c) reads as rewritten:



1 "(c) The board of commissioners of any county may provide that persons who are
2 deputized by the sheriff of the county as special deputy sheriffs or persons who are serving as
3 volunteer law-enforcement officers at the request of the sheriff and under his authority, while
4 undergoing official training and while performing duties on behalf of the county pursuant to
5 orders or instructions of the sheriff, shall be entitled to benefits under the North Carolina
6 Workers' Compensation Act and to any fringe benefits for which such persons qualify.

7 This subsection shall not apply to volunteer school safety resource officers as described in
8 G.S. 162-25."

9 **SECTION 6.** Chapter 162 of the General Statutes is amended by adding a new
10 section to read:

11 **"§ 162-25. Sheriff may establish volunteer school safety resource officer program.**

12 (a) The sheriff may establish a volunteer school safety resource officer program to
13 provide nonsalaried special deputies to serve as school safety resource officers in public
14 schools. To be a volunteer in the program, a person must have prior experience as either (i) a
15 sworn law enforcement officer or (ii) as a military police officer with a minimum of two years'
16 service. If a person with experience as a military police officer is no longer in the armed
17 services, the person must also have an honorable discharge. A program volunteer must also
18 meet the selection standards and any additional criteria established by the sheriff.

19 (b) Each volunteer shall report to the sheriff and shall work under the direction and
20 supervision of the sheriff or the sheriff's designee when carrying out the volunteer's duties as a
21 school safety resource officer. No volunteer may be assigned to a school as a school safety
22 resource officer until the volunteer has updated or renewed the volunteer's law enforcement
23 training and has been certified by the North Carolina Sheriff's Education and Training
24 Standards Commission as meeting the educational and firearms proficiency standards required
25 of persons serving as special deputy sheriffs. A volunteer is not required to meet the physical
26 standards required by the North Carolina Sheriff's Education and Training Standards
27 Commission but must have a standard medical exam to ensure the volunteer is in good health.
28 A person selected by the sheriff to serve as a volunteer under this section shall have the power
29 of arrest while performing official duties as a volunteer school safety resource officer.

30 (c) The sheriff may enter into an agreement with the local board of education to provide
31 volunteer school safety resource officers who meet both the criteria established by this section
32 and the selection and training requirements set by the sheriff of the county for the schools. The
33 sheriff shall be responsible for the assignment of any volunteer school safety resource officer
34 assigned to a public school and for the supervision of the officer.

35 (d) There shall be no liability on the part of, and no cause of action shall arise against, a
36 volunteer school safety resource officer, the Sheriff or employees of the sheriff supervising a
37 volunteer school safety officer, or the public school system or its employees for any good faith
38 action taken by them in the performance of their duties with regard to the volunteer school
39 safety resource officer program established pursuant to this section."

40 **SECTION 7.** Article 13 of Chapter 160A of the General Statutes is amended by
41 adding a new section to read:

42 **"§ 160A-288.4. Police chief may establish volunteer school safety resource officer**
43 **program.**

44 (a) The chief of police of a local police department or of a county police department
45 may establish a volunteer school safety resource officer program to provide nonsalaried special
46 law enforcement officers to serve as school safety resource officers in public schools. To be a
47 volunteer in the program, a person must have prior experience as either (i) a sworn law
48 enforcement officer or (ii) as a military police officer with a minimum of two years' service. If
49 a person with experience as a military police officer is no longer in the armed services, the
50 person must also have an honorable discharge. A program volunteer must also meet the
51 selection standards and any additional criteria established by the chief of police.

1 (b) Each volunteer shall report to the chief of police and shall work under the direction
2 and supervision of the chief of police or the chief's designee when carrying out the volunteer's
3 duties as a school safety resource officer. No volunteer may be assigned to a school as a school
4 safety resource officer until the volunteer has updated or renewed the volunteer's law
5 enforcement training and has been certified by the North Carolina Criminal Justice Education
6 and Training Standards Commission as meeting the educational and firearms proficiency
7 standards required of persons serving as criminal justice officers. A volunteer is not required to
8 meet the physical standards required by the North Carolina Criminal Justice Education and
9 Training Standards Commission but must have a standard medical exam to ensure the volunteer
10 is in good health. A person selected by the chief of police to serve as a volunteer under this
11 section shall have the power of arrest while performing official duties as a volunteer school
12 safety resource officer.

13 (c) The chief of police may enter into an agreement with the local board of education to
14 provide volunteer school safety resource officers who meet both the criteria established by this
15 section and the selection and training requirements set by the chief of police of the municipality
16 or county in which the schools are located. The chief of police shall be responsible for the
17 assignment of any volunteer school safety resource officer assigned to a public school and for
18 the supervision of the officer.

19 (d) There shall be no liability on the part of, and no cause of action shall arise against, a
20 volunteer school safety resource officer, the chief of police or employees of the local law
21 enforcement agency supervising a volunteer school safety officer, or the public school system
22 or its employees for any good faith action taken by them in the performance of their duties with
23 regard to the volunteer school safety resource officer program established pursuant to this
24 section."

25 **SECTION 8.** This act becomes effective December 1, 2013.