

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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HOUSE BILL 380
PROPOSED COMMITTEE SUBSTITUTE H380-PCS10349-TB-12

Short Title: Statewide School Safety Management.

(Public)

Sponsors:

Referred to:

March 30, 2015

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE DEPARTMENT OF PUBLIC SAFETY TO IMPLEMENT
3 A STATEWIDE SCHOOL RISK AND RESPONSE MANAGEMENT SYSTEM, TO
4 MAKE CONFORMING CHANGES TO OTHER SCHOOL SAFETY REQUIREMENTS,
5 AND TO PROVIDE FOR GRANTS FOR ADDITIONAL SCHOOL COUNSELORS.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.(a)** G.S. 115C-47(40) reads as rewritten:

8 "(40) To ~~adopt emergency response plans.~~ Local boards Adopt School Risk
9 Management Plans. – Each local board of education shall, in coordination
10 with local law enforcement and emergency management agencies, adopt
11 emergency response plans a School Risk Management Plan (SRMP) relating
12 to incidents of school violence-violence for each school in its jurisdiction. In
13 constructing and maintaining these plans, local boards of education and local
14 school administrative units shall utilize the School Risk and Response
15 Management System (SRRMS) established pursuant to G.S. 115C-105.49A.
16 These plans are not a public record as the term "public record" is defined
17 under G.S. 132-1 and shall not be subject to inspection and examination
18 under G.S. 132-6."

19 **SECTION 1.(b)** Local boards of education shall adopt a School Risk Management
20 Plan as required by this section by March 1, 2017.

21 **SECTION 2.** G.S. 115C-105.49 reads as rewritten:

22 **"§ 115C-105.49. School safety exercises.**

23 (a) At least ~~every two years, once annually,~~ each local school administrative unit is
24 encouraged to shall require each school under its control to hold a full systemwide school
25 safety and school lockdown exercise with the school-wide tabletop exercise and drill based on
26 the procedures documented in its School Risk Management Plan (SRMP). The drill shall
27 include a practice school lockdown due to an intruder on school grounds. Each school is
28 encouraged to hold a tabletop exercise and drill for multiple hazards included in its SRMP.
29 Schools are strongly encouraged to include local law enforcement agencies that are part of the
30 local board of education's emergency response plan, and emergency management agencies in
31 its tabletop exercises and drills. The purpose of the ~~exercise tabletop exercises and drills~~ shall
32 be to permit participants to (i) discuss simulated emergency situations in a low-stress
33 environment, (ii) clarify their roles and responsibilities and the overall logistics of dealing with
34 an emergency, and (iii) identify areas in which the ~~emergency response plan~~ SRMP needs to be
35 modified.



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1 (b) ~~As part of a local board of education's emergency response plan, at least once a~~
2 ~~year, each school is encouraged to hold a full schoolwide school safety and lockdown exercise~~
3 ~~with local law enforcement agencies. For the purposes of this section, a tabletop exercise is an~~
4 ~~exercise involving key personnel conducting simulated scenarios related to emergency~~
5 ~~planning.~~

6 (c) For the purposes of this section, a drill is a school-wide practice exercise in which
7 simulated scenarios related to emergency planning are conducted.

8 (d) The Department of Public Safety, Division of Emergency Management, and the
9 Center for Safer Schools shall provide guidance and recommendations to local school
10 administrative units on the types of multiple hazards to plan and respond to, including intruders
11 on school grounds."

12 **SECTION 3.** Article 8C of Chapter 115C of the General Statutes is amended by
13 adding a new section to read:

14 **"§ 115C-105.49A. School Risk and Response Management System.**

15 (a) The Department of Public Safety, Division of Emergency Management, and the
16 Center for Safer Schools shall construct and maintain a statewide School Risk and Response
17 Management System (SRRMS). The system shall fully integrate and leverage existing data and
18 applications that support school risk planning, exercises, monitoring, and emergency response
19 via 911 dispatch.

20 (b) In constructing the SRRMS, the Division of Emergency Management and the
21 Center for Safer Schools shall leverage the existing enterprise risk management database, the
22 School Risk Management Planning tool managed by the Division. The Division shall also
23 leverage the local school administrative unit schematic diagrams of school facilities. Where
24 technically feasible, the system shall integrate any anonymous tip lines established pursuant to
25 G.S. 115C-105.51 and any 911-initiated panic alarm systems authorized as part of an SRMP
26 pursuant to G.S. 115C-47(40). The Division and Center for Safer Schools shall collaborate with
27 the Department of Public Instruction and the North Carolina 911 Board in the design,
28 implementation, and maintenance of the SRRMS.

29 (c) All data and information acquired and stored in the SRRMS as provided in
30 subsections (a) and (b) of this section are not considered public records as the term "public
31 record" is defined under G.S. 132-1 and shall not be subject to inspection and examination
32 under G.S. 132-6."

33 **SECTION 4.(a)** G.S. 115C-105.51 reads as rewritten:

34 **"§ 115C-105.51. Anonymous tip lines, lines and monitoring and response applications.**

35 (a) Each local school administrative unit is encouraged to develop and operate an
36 anonymous tip line, in coordination with local law enforcement and social services agencies, to
37 receive anonymous information on internal or external risks to the school population, school
38 buildings—buildings, and school-related activities. The Department of Public Safety, in
39 consultation with the Department of Public Instruction, may develop standards and guidelines
40 for the development, operation, and staffing of tip lines.

41 (b) ~~The Department of Public Instruction, in consultation with the Department of Public~~
42 ~~Safety, may develop standards and guidelines for the development, operation, and staffing of~~
43 ~~tip lines. The Department of Public Safety, Division of Emergency Management, and the Center~~
44 ~~for Safer Schools, in collaboration with the Department of Public Instruction, shall implement~~
45 ~~and maintain an anonymous safety tip line application for purposes of receiving anonymous~~
46 ~~student information on internal or external risks to the school population, school buildings, and~~
47 ~~school-related activities.~~

48 (c) ~~The Department of Public Instruction may provide information to local school~~
49 ~~administrative units on federal, State, local, and private grants available for this purpose. The~~
50 ~~Department of Public Safety, Division of Emergency Management, and the Center for Safer~~
51 ~~Schools, in collaboration with the Department of Public Instruction and the North Carolina 911~~

1 Board, shall implement and maintain a statewide panic alarm system for the purposes of
2 launching real-time 911 messaging to public safety answering points of internal and external
3 risks to the school population, school buildings, and school-related activities. The Department
4 of Public Safety, in consultation with the Department of Public Instruction and the North
5 Carolina 911 Board, may develop standards and guidelines for the operations and use of the
6 panic alarm tool.

7 (d) The Department of Public Safety shall ensure that the anonymous safety tip line
8 application is integrated with and supports the statewide School Risk and Response
9 Management System (SRRMS) as provided in G.S. 115C-105.49A. Where technically feasible
10 and cost-efficient, the Department of Public Safety is encouraged to implement a single
11 solution supporting both the anonymous safety tip line application and panic alarm system.

12 (e) All data and information acquired and stored by the anonymous safety tip line
13 application are not considered public records as the term "public record" is defined under
14 G.S. 132-1 and shall not be subject to inspection and examination under G.S. 132-6.

15 (f) Notwithstanding subsection (e) of this section, the Division may collect the annual
16 aggregate number and type of tips sent to the anonymous tip line. The collection of this
17 aggregate data shall not have any identifying information on the reporter of the tip, including,
18 but not limited to, the school where the incident was reported and the date the tip was
19 reported."

20 **SECTION 4.(b)** The Department of Public Safety shall implement an anonymous
21 safety tip line application and a statewide panic alarm system as required by this section by July
22 1, 2016.

23 **SECTION 5.** G.S. 115C-105.52 reads as rewritten:

24 **"§ 115C-105.52. School crisis kits.**

25 The Department of Public Instruction, in consultation with the Department of Public Safety
26 through the North Carolina Center for Safer Schools, may develop and adopt policies on the
27 placement of school crisis kits in schools and on the contents of those kits. The kits should
28 include, at a minimum, basic first-aid supplies, communications devices, and other items
29 recommended by the International Association of Chiefs of Police.

30 The principal of each school, in coordination with the law enforcement agencies that are
31 part of the local board of education's ~~emergency response plan,~~ School Risk Management Plan,
32 may place one or more crisis kits at appropriate locations in the school."

33 **SECTION 6.** G.S. 115C-105.53 reads as rewritten:

34 **"§ 115C-105.53. Schematic diagrams and emergency access to school buildings for local**
35 **law enforcement agencies.**

36 (a) Each local school administrative unit shall provide the following to local law
37 enforcement agencies: (i) schematic diagrams, including digital schematic diagrams, and (ii)
38 either keys to the main entrance of all school buildings or emergency access to key storage
39 devices such as KNOX® boxes for all school buildings. Local school administrative units shall
40 provide updates of the schematic diagrams to local law enforcement agencies when substantial
41 modifications such as new facilities or modifications to doors and windows are made to school
42 buildings. Local school administrative units shall also be responsible for providing local law
43 enforcement agencies with updated access to school ~~building key storage devices such as~~
44 ~~KNOX® boxes when changes are made to these boxes or devices.~~ buildings when changes are
45 made to the locks of the main entrances or to key storage devices such as KNOX® boxes.

46 (b) The Department of Public Instruction, in consultation with the Department of Public
47 Safety, shall develop standards and guidelines for the preparation and content of schematic
48 diagrams and necessary updates. Local school administrative units may use these standards and
49 guidelines to assist in the preparation of their schematic diagrams.

1 (c) Schematic diagrams are not considered a public record as the term "public record" is
2 defined under G.S. 132-1 and shall not be subject to inspection and examination under
3 G.S. 132-6."

4 **SECTION 7.** G.S. 115C-105.54 reads as rewritten:

5 **"§ 115C-105.54. Schematic diagrams and emergency response information provided to**
6 **Division of Emergency Management.**

7 (a) Each local school administrative unit shall provide the following to the Division of
8 Emergency Management (Division) at the Department of Public Safety: (i) schematic diagrams,
9 including digital schematic diagrams, and (ii) emergency response information requested by the
10 Division for the School Risk Management Plan ~~(SRMP) and the School Emergency Response~~
11 ~~Plan (SERP)~~ (SRMP). Local school administrative units shall also provide updated schematic
12 diagrams and emergency response information to the Division when such updates are made.
13 The Division shall ensure that the diagrams and emergency response information are securely
14 stored and distributed as provided in the SRMP ~~and SERP~~ to first responders, emergency
15 personnel, and school personnel and approved by the Department of Public Instruction.

16 (b) The schematic diagrams and emergency response information are not considered a
17 public record as the term "public record" is defined under G.S. 132-1 and shall not be subject to
18 inspection and examination under G.S. 132-6."

19 **SECTION 8.(a)** G.S. 115C-218.75 reads as rewritten:

20 **"§ 115C-218.75. General operating requirements.**

21 (a) Health and Safety Standards. – A charter school shall meet the same health and
22 safety requirements required of a local school administrative unit. The Department of Public
23 Instruction shall ensure that charter schools provide parents and guardians with information
24 about meningococcal meningitis and influenza and their vaccines at the beginning of every
25 school year. This information shall include the causes, symptoms, and how meningococcal
26 meningitis and influenza are spread and the places where parents and guardians may obtain
27 additional information and vaccinations for their children.

28 The Department of Public Instruction shall also ensure that charter schools provide parents
29 and guardians with information about cervical cancer, cervical dysplasia, human
30 papillomavirus, and the vaccines available to prevent these diseases. This information shall be
31 provided at the beginning of the school year to parents of children entering grades five through
32 12. This information shall include the causes and symptoms of these diseases, how they are
33 transmitted, how they may be prevented by vaccination, including the benefits and possible
34 side effects of vaccination, and the places where parents and guardians may obtain additional
35 information and vaccinations for their children.

36 The Department of Public Instruction shall also ensure that charter schools provide students
37 in grades seven through 12 with information annually on the preventable risks for preterm birth
38 in subsequent pregnancies, including induced abortion, smoking, alcohol consumption, the use
39 of illicit drugs, and inadequate prenatal care.

40 The Department of Public Instruction shall also ensure that charter schools provide students
41 in grades nine through 12 with information annually on the manner in which a parent may
42 lawfully abandon a newborn baby with a responsible person, in accordance with G.S. 7B-500.

43 The Department of Public Instruction shall also ensure that the guidelines for individual
44 diabetes care plans adopted by the State Board of Education under G.S. 115C-12(31) are
45 implemented in charter schools in which students with diabetes are enrolled and that charter
46 schools otherwise comply with the provisions of G.S. 115C-375.3.

47 The Department of Public Instruction shall ensure that charter schools comply with
48 G.S. 115C-375.2A. The board of directors of a charter school shall provide the school with a
49 supply of emergency epinephrine auto-injectors necessary to carry out the provisions of
50 G.S. 115C-375.2A.

1 (b) ~~Emergency Response Plan.~~ School Risk Management Plan. – Each charter
2 school, in coordination with local law enforcement ~~agencies, and emergency management~~
3 ~~agencies,~~ is encouraged to adopt ~~an emergency response plan~~ a School Risk Management Plan
4 (SRMP) relating to incidents of school violence. In constructing and maintaining these plans,
5 charter schools may utilize the School Risk and Response Management System (SRRMS)
6 established pursuant to G.S. 115C-105.49A. These plans are not considered a public record as
7 the term "public record" is defined under G.S. 132-1 and shall not be subject to inspection and
8 examination under G.S. 132-6.

9 Charter schools are encouraged to provide schematic diagrams and keys to the main
10 entrance of school facilities to local law enforcement agencies, in addition to implementing the
11 provisions in ~~G.S. 115C-105.49(b)~~ and G.S. 115C-105.52.

12 (c) Policy Against Bullying. – A charter school is encouraged to adopt a policy against
13 bullying or harassing behavior, including cyber bullying, that is consistent with the provisions
14 of Article 29C of this Chapter. If a charter school adopts a policy to prohibit bullying and
15 harassing behavior, the charter school shall, at the beginning of each school year, provide the
16 policy to staff, students, and parents as defined in G.S. 115C-390.1(b)(8).

17 (d) School Safety Exercises. – At least once a year, a charter school is encouraged to
18 hold a full school-wide lockdown exercise with local law enforcement and emergency
19 management agencies that are part of the charter school's SRMP.

20 (e) School Safety Information Provided to Division of Emergency Management. – A
21 charter school is encouraged to provide the following: (i) schematic diagrams, including digital
22 schematic diagrams, and (ii) emergency response information requested by the Division for the
23 SRMP. The schematic diagrams and emergency response information are not considered public
24 records as the term "public record" is defined under G.S. 132-1 and shall not be subject to
25 inspection and examination under G.S. 132-6."

26 **SECTION 8.(b)** Each charter school is encouraged to adopt a School Risk
27 Management Plan by March 1, 2017.

28 **SECTION 9.(a)** G.S. 115C-238.66 reads as rewritten:

29 **"§ 115C-238.66. Board of directors; powers and duties.**

30 The board of directors shall have the following powers and duties:

31 (1) Academic program. –

32 a. The board of directors shall establish the standard course of study for
33 the regional school. This course of study shall set forth the subjects
34 to be taught in each grade and the texts and other educational
35 materials on each subject to be used in each grade. The board of
36 directors shall design its programs to meet at least the student
37 performance standards adopted by the State Board of Education and
38 the student performance standards contained in this Chapter.

39 b. The board of directors shall conduct student assessments required by
40 the State Board of Education.

41 c. The board of directors shall provide the opportunity to earn or obtain
42 credit toward degrees from a community college subject to Chapter
43 115D of the General Statutes or a constituent institution of The
44 University of North Carolina.

45 d. The board of directors shall adopt a school calendar consisting of a
46 minimum of 185 days or 1,025 hours of instruction covering at least
47 nine calendar months.

48 (2) Standards of performance and conduct. – The board of directors shall
49 establish policies and standards for academic performance, attendance, and
50 conduct for students of the regional school. The policies of the board of
51 directors shall comply with Article 27 of this Chapter.

- 1 (3) School attendance. – Every parent, guardian, or other person in this State
2 having charge or control of a child who is enrolled in the regional school and
3 who is less than 16 years of age shall cause such child to attend school
4 continuously for a period equal to the time that the regional school shall be
5 in session. No person shall encourage, entice, or counsel any child to be
6 unlawfully absent from the regional school. Any person who aids or abets a
7 student's unlawful absence from the regional school shall, upon conviction,
8 be guilty of a Class 1 misdemeanor. The principal shall be responsible for
9 implementing such additional policies concerning compulsory attendance as
10 shall be adopted by the board of directors, including regulations concerning
11 lawful and unlawful absences, permissible excuses for temporary absences,
12 maintenance of attendance records, and attendance counseling.
- 13 (4) Reporting. – The board of directors shall comply with the reporting
14 requirements established by the State Board of Education in the Uniform
15 Education Reporting System.
- 16 (5) Assessment results. – The board of directors shall provide data to the
17 participating unit in which a student is domiciled on the performance of that
18 student on any testing required by the State Board of Education.
- 19 (6) Education of children with disabilities. – The board of directors shall require
20 compliance with laws and policies relating to the education of children with
21 disabilities.
- 22 (7) Health and safety. – The board of directors shall require that the regional
23 school meet the same health and safety standards required of a local school
24 administrative unit.

25 The Department of Public Instruction shall ensure that regional schools
26 comply with G.S. 115C-375.2A. The board of directors of a regional school
27 shall provide the school with a supply of emergency epinephrine
28 auto-injectors necessary to carry out the provisions of G.S. 115C-375.2A.

- 29 (7a) ~~Emergency Response Plan.~~ School Risk Management Plan. – Each
30 regional school, in coordination with local law enforcement agencies, is
31 encouraged to adopt ~~an emergency response plan~~ a School Risk
32 Management Plan (SRMP) relating to incidents of school violence. In
33 constructing and maintaining these plans, a regional school may utilize the
34 School Risk and Response Management System (SRRMS) established
35 pursuant to G.S. 115C-105.49A. These plans are not considered a public
36 record as the term "public record" is defined under G.S. 132-1 and shall not
37 be subject to inspection and examination under G.S. 132-6.
- 38 (7b) Schematic diagrams and school crisis kits. – Regional schools are
39 encouraged to provide schematic diagrams and keys to the main entrance of
40 school facilities to local law enforcement agencies, in addition to
41 implementing the provisions in ~~G.S. 115C-105.49(b)~~ and G.S. 115C-105.52.
- 42 (7c) School safety exercises. – At least once a year, a regional school is
43 encouraged to hold a full school-wide lockdown exercise with local law
44 enforcement and emergency management agencies that are part of the
45 regional school's SRMP.
- 46 (7d) Safety information provided to Division of Emergency Management. – A
47 regional school is encouraged to provide the following: (i) schematic
48 diagrams, including digital schematic diagrams, and (ii) emergency response
49 information requested by the Division for the SRMP. The schematic
50 diagrams and emergency response information are not considered public

1 records as the term "public record" is defined under G.S. 132-1 and shall not
2 be subject to inspection and examination under G.S. 132-6.

- 3 (8) Driving eligibility certificates. – The board of directors shall apply the rules
4 and policies established by the State Board of Education for issuance of
5 driving eligibility certificates.
- 6 (9) Purchasing and contracts. – The board of directors shall comply with the
7 purchasing and contract statutes and regulations applicable to local school
8 administrative units.
- 9 (10) Exemption from the Administrative Procedures Act. – The board of directors
10 shall be exempt from Chapter 150B of the General Statutes, except final
11 decisions of the board of directors in a contested case shall be subject to
12 judicial review in accordance with Article 4 of Chapter 150B of the General
13 Statutes.
- 14 (11) North Carolina School Report Cards. – A regional school shall ensure that
15 the report card issued for it by the State Board of Education receives wide
16 distribution to the local press or is otherwise provided to the public. A
17 regional school shall ensure that the overall school performance score and
18 grade earned by the regional school for the current and previous four school
19 years is prominently displayed on the school Web site. If a regional school is
20 awarded a grade of D or F, the regional school shall provide notice of the
21 grade in writing to the parent or guardian of all students enrolled in that
22 school.
- 23 (12) Policy against bullying. – A regional school is encouraged to adopt a policy
24 against bullying or harassing behavior, including cyber-bullying, that is
25 consistent with the provisions of Article 29C of this Chapter. If a regional
26 school adopts a policy to prohibit bullying and harassing behavior, the
27 regional school shall, at the beginning of each school year, provide the
28 policy to staff, students, and parents as defined in G.S. 115C-390.1(b)(8)."

29 **SECTION 9.(b)** Each regional school is encouraged to adopt a School Risk
30 Management Plan by March 1, 2017.

31 **SECTION 10.** G.S. 166A-19.12 is amended by adding a new subdivision to read:

32 "(22) Serving as the lead State agency for the implementation and maintenance of
33 the Statewide School Risk and Response Management System (SRRMS)
34 under G.S. 115C-105.49A."

35 **SECTION 11.** By December 1, 2015, the Department of Public Safety, Division of
36 Emergency Management, and the Center for Safer Schools shall provide a report to the Joint
37 Legislative Commission on Governmental Operations on (i) the status of the School Risk and
38 Response Management System (SRRMS) implementation under G.S. 115C-105.49A, as
39 enacted by this act, and (ii) the anticipated annual cost to operate and maintain the system.

40 **SECTION 12.** Subject to the availability of funds, it is the intent of the General
41 Assembly to provide funds during the 2015-2017 fiscal biennium to provide grants to local
42 school administrative units, regional schools, and charter schools for additional school
43 psychologists, school counselors, and school social workers. These funds shall be matched on
44 the basis of one dollar (\$1.00) in State funds for every one dollar (\$1.00) in local funds and
45 shall be used to supplement and not to supplant State, local, and federal funds expended for
46 school psychologists, school counselors, and school social workers.

47 The State Board of Education shall include need-based considerations in its criteria
48 for awarding these grants to local school administrative units. The State Board shall give lower
49 priority to local school administrative units that have received a grant for school resource
50 officers pursuant to Section 8.36 of S.L. 2013-360.

1 **SECTION 13.** This act is effective when it becomes law. Sections 2, 3, 5, 6, and 7
2 of this act apply beginning with the 2015-2016 school year.