

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 938
PROPOSED COMMITTEE SUBSTITUTE H938-PCS30474-BN-3

Short Title: Various School Safety Changes.

(Public)

Sponsors:

Referred to:

May 17, 2018

A BILL TO BE ENTITLED

AN ACT TO REQUIRE PEER-TO-PEER SUPPORT PROGRAMS AT ALL SCHOOLS WITH GRADES SIX AND HIGHER; TO REQUIRE ANNUAL FACILITY VULNERABILITY ASSESSMENTS FOR EACH PUBLIC SCHOOL BUILDING; TO REQUIRE AN ANNUAL REPORT ON SCHOOL RESOURCE OFFICERS BY EACH LOCAL SCHOOL ADMINISTRATIVE UNIT AND THE CENTER FOR SAFER SCHOOLS; TO DEFINE SCHOOL RESOURCE OFFICER AND ESTABLISH SCHOOL RESOURCE OFFICER TRAINING REQUIREMENTS; AND TO REQUIRE ALL PUBLIC SCHOOLS AND TO ENCOURAGE NONPUBLIC SCHOOLS TO DEVELOP A SCHOOL RISK MANAGEMENT PLAN, HOLD SCHOOL SAFETY EXERCISES, AND PROVIDE SCHOOL SAFETY INFORMATION TO LOCAL LAW ENFORCEMENT AND THE DIVISION OF EMERGENCY MANAGEMENT.

The General Assembly of North Carolina enacts:

PART I. PEER-TO-PEER STUDENT SUPPORT PROGRAMS

SECTION 1.(a) G.S. 115C-47 is amended by adding a new subdivision to read:

"(64) Peer-to-peer student support programs. – Local boards of education shall require peer-to-peer student support programs be established at all schools with grades six and higher and are encouraged to implement peer-to-peer student support programs as appropriate in other grades."

SECTION 1.(b) G.S. 115C-316.1 is amended by adding a new subsection to read:

"(c) School counselors, as part of the direct services provided in subsection (a) of this section, shall coordinate and provide training for students in peer-to-peer student support programs that address areas such as conflict resolution, general health and wellness, and mentoring. The Center for Safer Schools will support school counselors in the administration and delivery of peer-to-peer student support programs."

PART II. FACILITY VULNERABILITY ASSESSMENTS

SECTION 2.(a) Article 8C of Chapter 115C of the General Statutes is amended by adding a new section to read:

"§ 115C-105.52A. Facility vulnerability assessments.

(a) At least once annually, each local school administrative unit shall require each school under its control to complete a facility vulnerability assessment for each school building.

(b) The Center for Safer Schools, in collaboration with the Department of Public Instruction, Division of School Operations, and the Department of Public Safety, Division of



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1 Emergency Management, shall develop a facility vulnerability assessment tool. This tool shall
2 be used by local school administrative units when completing a facility vulnerability assessment."

3 **SECTION 2.(b)** G.S. 115C-105.49A(b) reads as rewritten:

4 "(b) In constructing the SRRMS, the Division of Emergency Management and the Center
5 for Safer Schools shall leverage the existing enterprise risk management database, the School
6 Risk Management Planning tool managed by the Division. The Division shall also leverage the
7 local school administrative unit schematic diagrams of school facilities. Where technically
8 feasible, the SRRMS shall integrate any anonymous tip lines established pursuant to
9 G.S. 115C-105.51 and any 911-initiated panic alarm systems authorized as part of a SRMP
10 pursuant to G.S. 115C-47(40). Where technically feasible, the SRRMS shall integrate any facility
11 vulnerability assessments as part of an SRMP pursuant to G.S. 115C-105.52A. The Division and
12 the Center for Safer Schools shall collaborate with the Department of Public Instruction and the
13 North Carolina 911 Board in the design, implementation, and maintenance of the SRRMS."

14 **SECTION 2.(c)** The Center for Safer Schools, in collaboration with the Department
15 of Public Instruction, Division of School Operations, and the Department of Public Safety,
16 Division of Emergency Management, shall develop the facility vulnerability assessment tool by
17 January 15, 2019. Each local school administrative unit shall require each school under its control
18 to complete a facility vulnerability assessment for each school building before the end of the
19 2018-2019 school year and annually thereafter.

20 21 **PART III. SCHOOL RESOURCE OFFICER REPORT**

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

24 "**§ 115C-105.58. School resource officer reports.**

25 (a) Each local school administrative unit shall annually report by September 15 in writing
26 to the Center for Safer Schools the number of school resource officers and the placement of each
27 school resource officer in the local school administrative unit. This report shall include the source
28 of funding and method of employment for each school resource officer position.

29 (b) The Center for Safer Schools shall report annually by November 15 to the Joint
30 Legislative Education Oversight Committee an executive summary and the disaggregated data
31 for each local school administrative unit regarding the information reported pursuant to
32 subsection (a) of this section."

33 34 **PART IV. SCHOOL RESOURCE OFFICER DEFINITION AND TRAINING**

35 **SECTION 4.(a)** Article 8C of Chapter 115C of the General Statutes is amended by
36 adding a new section to read:

37 "**§ 115C-105.59. School resource officer.**

38 (a) A school resource officer is a law enforcement officer who is assigned to one or more
39 public schools, at least 20 hours per week, to assist with school security, safety, emergency
40 preparedness, emergency response, or any other responsibility assigned by the employing unit.
41 A school resource officer may be employed by a local board of education or governing board of
42 a public school or may be employed by a local law enforcement unit agency.

43 (b) All school resource officers must comply with any continuing education training
44 requirements, as established by subsection (c) of this section. A law enforcement officer who did
45 not serve as a school resource officer during the 2018-2019 school year shall also complete the
46 initial training as established by subsection (c) of this section.

47 (c) The North Carolina Criminal Justice Education and Training Standards Commission
48 and the North Carolina Sheriffs' Education and Training Standards Commission, in collaboration
49 with the Center for Safer Schools, shall establish initial training and continuing education
50 standards for school resource officers. These standards shall, at a minimum, include diversity and
51 equity, tactical, and mental health training."

1 **SECTION 4.(b)** G.S. 17C-6(a) is amended by adding a new subdivision to read:

2 "(18) Establish initial training and continuing education training standards for

3 school resource officers, as set forth in G.S. 115C-105.59."

4 **SECTION 4.(c)** G.S. 17E-4(a) is amended by adding a new subdivision to read:

5 "(14) Establish initial training and continuing education training standards for

6 school resource officers, as set forth in G.S. 115C-105.59."

7 **SECTION 4.(d)** The North Carolina Criminal Justice Education and Training

8 Standards Commission and the North Carolina Sheriffs' Education and Training Standards
9 Commission, in collaboration with the Center for Safer Schools, shall establish initial training
10 standards for school resource officers no later than January 15, 2019.

11 **SECTION 4.(e)** This section is effective when it becomes law and applies to school
12 resource officers employed beginning with the 2019-2020 school year.

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14 **PART V. REQUIRE ALL PUBLIC SCHOOLS TO PARTICIPATE IN SCHOOL**
15 **SAFETY MEASURES**

16 **SECTION 5.(a)** G.S. 115C-105.46, 115C-105.47A, and 115C-105.48 are codified
17 into Part 1 of Article 8C of Chapter 115C of the General Statutes, Local Plans for Alternative
18 Schools/Alternative Learning Programs and Maintaining Safe and Orderly Schools. Part 1 shall
19 be entitled "Local Plans for Alternative Schools/Alternative Learning Programs." The remaining
20 sections of Article 8C of Chapter 115C of the General Statutes shall be codified into Part 2, which
21 shall be entitled "Maintaining Safe and Orderly Schools."

22 **SECTION 5.(b)** Part 2 of Article 8C of Chapter 115C of the General Statutes, as
23 enacted by this section, is amended by adding a new section to read:

24 **"§ 115C-105.48A. School safety definitions.**

25 The following definitions shall apply in this Part unless the context requires otherwise:

26 (1) Local school administrative unit. – Any of the following:

27 a. The local board of education of a local school administrative unit, as
28 defined by G.S. 115C-5(6).

29 b. The board of directors of a charter school.

30 c. The board of directors of a regional school.

31 d. The governing entity of a school providing elementary or secondary
32 instruction operated by one of the following:

33 1. The State Board of Education, including schools operated
34 under Article 7A and Article 9C of this Chapter.

35 2. The University of North Carolina, including schools operated
36 under Articles 4, 29, and 29A of Chapter 116 of the General
37 Statutes.

38 (2) Public secondary school. – Any of the following types of public school serving
39 grades six or higher:

40 a. A school under the control of a local board of education.

41 b. A school under the control of the State Board of Education, including
42 schools operated under Article 7A and Article 9C of this Chapter.

43 c. A school under the control of The University of North Carolina.

44 d. A charter school.

45 e. A regional school."

46 **SECTION 5.(c)** G.S. 115C-105.49A(b), as amended by Section 2(b) of this act,
47 reads as rewritten:

48 "(b) In constructing the SRRMS, the Division of Emergency Management and the Center
49 for Safer Schools shall leverage the existing enterprise risk management database, the School
50 Risk Management Planning tool managed by the Division. The Division shall also leverage the
51 ~~local school administrative unit~~ schematic diagrams of school ~~facilities~~ facilities provided by

1 local school administrative units and nonpublic schools. Where technically feasible, the SRRMS
2 shall integrate any anonymous tip lines established pursuant to G.S. 115C-105.51 and any
3 911-initiated panic alarm systems authorized as part of a SRMP pursuant to G.S. 115C-47(40).
4 Where technically feasible, the SRRMS shall integrate any facility vulnerability assessments as
5 part of an SRMP pursuant to G.S. 115C-105.52A. The Division and the Center for Safer Schools
6 shall collaborate with the Department of Public Instruction and the North Carolina 911 Board in
7 the design, implementation, and maintenance of the SRRMS."

8 **SECTION 5.(d)** G.S. 115C-105.53(b) reads as rewritten:

9 "(b) The Department of Public Instruction, in consultation with the Department of Public
10 Safety, shall develop standards and guidelines for the preparation and content of schematic
11 diagrams and necessary updates. Local school administrative units and nonpublic schools may
12 use these standards and guidelines to assist in the preparation of their schematic diagrams."

13 **SECTION 5.(e)** G.S. 115C-218.75(b), (d), and (e) are repealed.

14 **SECTION 5.(f)** G.S. 115C-218.75 is amended by adding a new subsection to read:

15 "(g) Each charter school shall comply with the applicable requirements of Part 2 of Article
16 8C of this Chapter."

17 **SECTION 5.(g)** G.S. 115C-238.66(7a), (7b), (7c), and (7d) are repealed.

18 **SECTION 5.(h)** G.S. 115C-238.66 is amended by adding a new subdivision to read:

19 "(14) Each regional school shall comply with the applicable requirements of Part 2
20 of Article 8C of this Chapter."

21 **SECTION 5.(i)** G.S. 116-239.8(b)(10), (11), (12), and (13) are repealed.

22 **SECTION 5.(j)** G.S. 116-239.8(b) is amended by adding a new subdivision to read:

23 "(17) Laboratory schools shall comply with the applicable requirements of Part 2 of
24 Article 8C of Chapter 115C of the General Statutes."

25 **SECTION 5.(k)** G.S. 115C-75.9 is amended by adding a new subdivision to read:

26 "(h1) School Safety. – Innovative schools shall comply with the applicable requirements of
27 Part 2 of Article 8C of Chapter 115C of the General Statutes."

28 **SECTION 5.(l)** Article 9C of Chapter 115C is amended by adding a new section to
29 read:

30 "**§ 115C-150.16. School safety.**

31 A school governed by this Article shall comply with the applicable requirements of Part 2 of
32 Article 8C of Chapter 115C of the General Statutes."

33 **SECTION 5.(m)** Article 4 of Chapter 116 is amended by adding a new section to
34 read:

35 "**§ 116-69.2. School safety.**

36 The school shall comply with the applicable requirements of Part 2 of Article 8C of Chapter
37 115C of the General Statutes."

38 **SECTION 5.(n)** G.S. 116-235 is amended by adding a new subdivision to read:

39 "(j) School Safety. – The school shall comply with the applicable requirements of Part 2
40 of Article 8C of Chapter 115C of the General Statutes."

41 **SECTION 5.(o)** G.S. 115C-551 reads as rewritten:

42 "**§ 115C-551. Voluntary participation in the State programs.**

43 (a) Any ~~such~~ private church school or school of religious charter may, on a voluntary
44 basis, participate in any State operated or sponsored program which would otherwise be available
45 to such school, including but not limited to the high school competency testing and statewide
46 testing programs.

47 (b) All private church schools and all schools of religious charter are encouraged to do
48 the following:

49 (1) School Risk Management Plan. – In coordination with local law enforcement
50 agencies, adopt a School Risk Management Plan (SRMP) relating to incidents
51 of school violence. In constructing and maintaining these plans, the school

1 may utilize the School Risk and Response Management System (SRRMS)
2 established pursuant to G.S. 115C-105.49A. These plans are not considered a
3 public record as the term "public record" is defined under G.S. 132-1 and shall
4 not be subject to inspection and examination under G.S. 132-6.

5 (2) Schematic diagrams and school crisis kits. – Provide schematic diagrams and
6 keys to the main entrance of school facilities to local law enforcement
7 agencies, in addition to implementing the provisions in G.S. 115C-105.52.

8 (3) School safety exercises. – At least once a year, hold a full school-wide
9 lockdown exercise with local law enforcement and emergency management
10 agencies that are part of the regional school's SRMP.

11 (4) Safety information provided to the Department of Public Safety, Division of
12 Emergency Management. – Provide the following: (i) schematic diagrams,
13 including digital schematic diagrams, and (ii) emergency response
14 information requested by the Division for the SRMP. The schematic diagrams
15 and emergency response information are not considered public records as the
16 term "public record" is defined under G.S. 132-1 and shall not be subject to
17 inspection and examination under G.S. 132-6."

18 **SECTION 5.(p)** G.S. 115C-559 reads as rewritten:

19 **"§ 115C-559. Voluntary participation in the State programs.**

20 (a) Any ~~such~~ qualified nonpublic school may, on a voluntary basis, participate in any
21 State operated or sponsored program which would otherwise be available to such school,
22 including but not limited to the high school competency testing and statewide testing programs.

23 (b) All qualified nonpublic schools are encouraged to do the following:

24 (1) School Risk Management Plan. – In coordination with local law enforcement
25 agencies, adopt a School Risk Management Plan (SRMP) relating to incidents
26 of school violence. In constructing and maintaining these plans, the school
27 may utilize the School Risk and Response Management System (SRRMS)
28 established pursuant to G.S. 115C-105.49A. These plans are not considered a
29 public record as the term "public record" is defined under G.S. 132-1 and shall
30 not be subject to inspection and examination under G.S. 132-6.

31 (2) Schematic diagrams and school crisis kits. – Provide schematic diagrams and
32 keys to the main entrance of school facilities to local law enforcement
33 agencies, in addition to implementing the provisions in G.S. 115C-105.52.

34 (3) School safety exercises. – At least once a year, hold a full school-wide
35 lockdown exercise with local law enforcement and emergency management
36 agencies that are part of the regional school's SRMP.

37 (4) Safety information provided to the Department of Public Safety, Division of
38 Emergency Management. – Provide the following: (i) schematic diagrams,
39 including digital schematic diagrams, and (ii) emergency response
40 information requested by the Division for the SRMP. The schematic diagrams
41 and emergency response information are not considered public records as the
42 term "public record" is defined under G.S. 132-1 and shall not be subject to
43 inspection and examination under G.S. 132-6."

44 **SECTION 5.(q)** If Senate Bill 99, 2017 Regular Session, becomes law,
45 G.S. 115C-105.51(g) is repealed.

46 **SECTION 5.(r)** This section becomes effective July 1, 2019, and applies beginning
47 with the 2019-2020 school year.

48 **PART VI. EFFECTIVE DATE**

49 **SECTION 6.** Except as otherwise provided, this act is effective when it becomes law
50 and applies beginning with the 2018-2019 school year.
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