

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL 476
Education/Higher Education Committee Substitute Adopted 4/10/19
PROPOSED HOUSE COMMITTEE SUBSTITUTE S476-PCS45339-RQ-18

Short Title: Compt-Based Assess. & Mental Hlth/Teen Viol.

(Public)

Sponsors:

Referred to:

April 3, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO RECOMMEND STEPS
3 NECESSARY TO TRANSITION TO A COMPETENCY-BASED ASSESSMENT AND
4 TEACHING MODEL FOR ALL ELEMENTARY AND SECONDARY STUDENTS IN
5 NORTH CAROLINA AND TO REQUIRE PUBLIC SCHOOL UNITS TO ADOPT AND
6 TO IMPLEMENT A SUICIDE RISK REFERRAL PROTOCOL, A MENTAL HEALTH
7 TRAINING PROGRAM, AND A POLICY AGAINST TEEN DATING VIOLENCE AND
8 ABUSE.

9 The General Assembly of North Carolina enacts:

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11 **PART I. COMPETENCY-BASED ASSESSMENTS AND TEACHING MODEL**

12 **SECTION 1.(a)** Pursuant to the intent of the General Assembly expressed in Section
13 8.12 of Session Law 2015-241, the State Board of Education shall determine and analyze the
14 steps necessary to transition to a competency-based assessment and teaching model for all
15 elementary and secondary students. Based on its analysis, the State Board shall recommend
16 transition steps that accomplish the following competency-based objectives:

- 17 (1) Students advance upon mastery.
18 (2) Competencies are broken down into explicit and measurable learning
19 objectives.
20 (3) Assessment is meaningful for students, accomplishes the goals of the
21 statewide testing program for measuring student achievement and student
22 growth, and complies with the conditions of federal grant funds.
23 (4) Students receive differentiated support based on their learning needs.
24 (5) Learning outcomes emphasize competencies that include the application and
25 creation of knowledge.

26 In conducting its analysis, the State Board shall examine (i) competency-based
27 assessments in other states, including potential benefits and obstacles to implementing similar
28 systems in North Carolina, (ii) the relationship between competency-based assessments and
29 innovative teaching methods utilized in North Carolina schools, and (iii) any other considerations
30 the Board deems relevant to transitioning to a competency-based assessment and teaching model.
31 No later than May 15, 2020, the State Board shall submit a report of its analysis and
32 recommended transition steps to the Joint Legislative Education Oversight Committee.

33 **SECTION 1.(b)** This section is effective when it becomes law.
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1 **PART II. SUICIDE RISK REFERRAL PROTOCOL AND MENTAL HEALTH**
2 **TRAINING PROGRAMS**

3 **SECTION 2.(a)** G.S. 115C-47 is amended by adding a new subdivision to read:

4 "(64) To adopt a suicide risk referral protocol and a mental health training program.
5 – Each local board of education shall adopt and implement a suicide risk
6 referral protocol and a mental health training program for school personnel
7 who work directly with students in grades kindergarten through 12, as
8 required by G.S. 115C-375.11."

9 **SECTION 2.(b)** G.S. 115C-218.75 is amended by adding a new subsection to read:

10 "(g) Suicide Risk Referral Protocol and Mental Health Training Program. – A charter
11 school shall adopt and implement a suicide risk referral protocol and a mental health training
12 program in accordance with G.S. 115C-375.11."

13 **SECTION 2.(c)** G.S. 115C-238.66 is amended by adding a new subdivision to read:

14 "(14) Suicide risk referral protocol and mental health training program. – The board
15 of directors shall adopt and implement a suicide risk referral protocol and a
16 mental health training program in accordance with G.S. 115C-375.11."

17 **SECTION 2.(d)** G.S. 116-239.8(b) is amended by adding a new subdivision to read:

18 "(17) Suicide risk referral protocol and mental health training program. – The
19 chancellor shall adopt and ensure implementation of a suicide risk referral
20 protocol and a mental health training program in accordance with
21 G.S. 115C-375.11."

22 **SECTION 2.(e)** The title of Article 25A of Chapter 115C of the General Statutes
23 reads as rewritten:

24 "Article 25A.

25 "Special Medical Needs and Mental Health Needs of Students."

26 **SECTION 2.(f)** Article 25A of Chapter 115C of the General Statutes is amended by
27 adding a new section to read:

28 "§ 115C-375.11. Suicide risk referral protocol and mental health training program
29 required.

30 (a) Each public school unit shall adopt and implement a suicide risk referral protocol for
31 school personnel who work directly with students in grades kindergarten through 12. The
32 protocol shall, at a minimum, do all of the following:

33 (1) Inform school personnel of suicide risk referral procedures, including the
34 provision of training.

35 (2) Establish crisis teams.

36 (3) Inform school personnel on how to identify and intervene in appropriate
37 situations.

38 (b) Each public school unit shall adopt and implement a mental health training program
39 for school personnel who work directly with students in grades kindergarten through 12. The
40 mental health training program adopted by a public school unit shall address the following topics:

41 (1) Youth mental health.

42 (2) Suicide prevention.

43 (3) Substance abuse.

44 (4) Sexual abuse prevention.

45 (5) Sex trafficking prevention.

46 (c) Public school units shall periodically review and update their adopted suicide risk
47 referral protocols and mental health training programs, as necessary.

48 (d) For the purposes of this section, "school personnel" are teachers, instructional support
49 personnel, principals, and assistant principals. This term may also include, in the discretion of
50 the public school unit, other school employees who work directly with students in grades
51 kindergarten through 12.

1 (e) Nothing in this section shall be construed to impose an additional duty on any public
2 school unit or its employees, to provide referrals, suicide prevention measures, or mental health
3 services to students of the unit.

4 (f) No public school unit or its members, employees, designees, agents, or volunteers
5 shall be liable in civil damages to any party for any loss or damage caused by any act or omission
6 relating to the provision of, participation in, or implementation of any component of a suicide
7 risk referral protocol or mental health training program required by this section, unless that act
8 or omission amounts to gross negligence, wanton conduct, or intentional wrongdoing. Nothing
9 in this section shall be construed to impose any specific duty of care or standard of care on an
10 public school unit."

11 **SECTION 2.(g)** The State Board of Education shall adopt a school-based model
12 suicide risk referral protocol and model mental health training program in accordance with this
13 act not later than December 1, 2020. The model suicide risk referral protocol and model mental
14 health training program shall meet the requirements developed by the Superintendent's Working
15 Group on Health and Well Being in its October 15, 2018, report pursuant to Section 5 of S.L.
16 2018-32. Each public school unit required by Sections 2.(a), (b), (c), and (d) to adopt and
17 implement a suicide referral protocol and mental health training program shall do so by July 1,
18 2021. A public school unit may use the model suicide risk referral protocol and model mental
19 health training program developed by the State Board of Education, modify the State Board of
20 Education models, or develop their own models.

21 **SECTION 2.(h)** This section is effective when it becomes law.
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23 **PART III. TEEN DATING VIOLENCE POLICY**

24 **SECTION 3.(a)** G.S. 115C-47 is amended by adding a new subdivision to read:

25 "(65) To Adopt a Policy Against Teen Dating Violence. – Each local board of
26 education shall adopt and implement a dating violence and abuse policy. The
27 policy shall do all of the following:

28 a. Define dating violence and abuse.

29 b. Prohibit dating violence and abuse by any student on school property,
30 including during a school-sponsored activity or during
31 school-sponsored transportation.

32 c. Provide procedures for responding to such incidents of dating violence
33 or abuse, including accommodations for students experiencing dating
34 violence or abuse.

35 d. Be implemented in a manner that is integrated with the discipline
36 policies of the school."

37 **SECTION 3.(b)** G.S. 115C-81.30(a) is amended by adding a new subdivision to
38 read:

39 "(14) Teach about dating violence and abuse, as defined in the local board policy
40 adopted under G.S. 115C-47(65)."

41 **SECTION 3.(c)** G.S. 115C-218.75 is amended by adding a new subsection to read:

42 "(h) Policy Against Teen Dating Violence. – A charter school shall adopt and implement
43 a dating violence and abuse policy. The policy shall do all of the following:

44 (1) Define dating violence and abuse.

45 (2) Prohibit dating violence and abuse by any student on school property,
46 including during a school-sponsored activity or during school-sponsored
47 transportation.

48 (3) Provide procedures for responding to such incidents of dating violence or
49 abuse, including accommodations for students experiencing dating violence
50 or abuse.

1 (4) Be implemented in a manner that is integrated with the discipline policies of
2 the school."

3 **SECTION 3.(d)** G.S. 115C-218.85(a) is amended by adding a new subdivision to
4 read:

5 "(6) The school shall teach about dating violence and abuse, as defined in the
6 policy adopted under G.S. 115C-218.75(h). If the school has a reproductive
7 health and safety education program, instruction on dating violence and abuse
8 shall be incorporated into the program."

9 **SECTION 3.(e)** G.S. 115C-238.66 is amended by adding a new subdivision to read:

10 "(15) Policy against teen dating violence. – The board of directors shall adopt and
11 implement a dating violence and abuse policy. The policy shall do all of the
12 following:

- 13 a. Define dating violence and abuse.
14 b. Prohibit dating violence and abuse by any student on school property,
15 including during a school-sponsored activity or during
16 school-sponsored transportation.
17 c. Provide procedures for responding to such incidents of dating violence
18 or abuse, including accommodations for students experiencing dating
19 violence or abuse.
20 d. Be implemented in a manner that is integrated with the discipline
21 policies of the school."

22 **SECTION 3.(f)** G.S. 115C-238.66(1) is amended by adding a new sub-subdivision

23 to read:

24 "f. The board of directors shall ensure that instruction on dating violence
25 and abuse is provided, as defined in the policy adopted under
26 G.S. 115C-238.66(15). If the school has a reproductive health and
27 safety education program, instruction on dating violence and abuse
28 shall be incorporated into the program."

29 **SECTION 3.(g)** G.S. 116-239.8(b) is amended by adding a new subdivision to read:

30 "(18) Policy against teen dating violence. – The chancellor shall adopt and ensure
31 implementation of a dating violence and abuse policy. The policy shall do all
32 of the following:

- 33 a. Define dating violence and abuse.
34 b. Prohibit dating violence and abuse by any student on school property,
35 including during a school-sponsored activity or during
36 school-sponsored transportation.
37 c. Provide procedures for responding to such incidents of dating violence
38 or abuse, including accommodations for students experiencing dating
39 violence or abuse.
40 d. Be implemented in a manner that is integrated with the discipline
41 policies of the school."

42 **SECTION 3.(h)** G.S. 116-239.8(b)(2) is amended by adding a new sub-subdivision

43 to read:

44 "e. The board of directors shall ensure that instruction on dating violence
45 and abuse is provided, as defined in the policy adopted under
46 G.S. 115C-239.8(b)(18). If the school has a reproductive health and
47 safety education program, instruction on dating violence and abuse
48 shall be incorporated into the program."

49 **SECTION 3.(i)** This section is effective when it becomes law. Each public school
50 unit required by Sections 3.(a), (c), (e), and (g) to adopt and implement a policy against teen
51 dating violence shall do so by July 1, 2020. Each public school unit required by Sections 3.(b),

1 (d), (f), and (h) to provide instruction on dating violence and abuse shall do so beginning with
2 the 2020-2021 school year.

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4 **PART IV. EFFECTIVE DATE**

5 **SECTION 4.** Except as otherwise provided, this act is effective when it becomes
6 law.