

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

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HOUSE BILL 76  
PROPOSED COMMITTEE SUBSTITUTE H76-PCS10106-BN-1

Short Title: School Safety Omnibus.

(Public)

Sponsors:

Referred to:

February 14, 2019

1 A BILL TO BE ENTITLED  
2 AN ACT TO MAKE VARIOUS CHANGES TO IMPROVE SCHOOL SAFETY, AS  
3 RECOMMENDED BY THE HOUSE SELECT COMMITTEE ON SCHOOL SAFETY.  
4 The General Assembly of North Carolina enacts:

6 PART I. REQUIREMENTS FOR SCHOOL SAFETY FOR ALL PUBLIC SCHOOLS

7 SECTION 1.(a) G.S. 115C-5 is amended by adding a new subdivision to read:

8 "(11) Public school unit. – Any of the following:

9 a. A local school administrative unit.

10 b. A charter school.

11 c. A regional school.

12 d. A school providing elementary or secondary instruction operated by  
13 one of the following:

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

16 2. The University of North Carolina, including schools operated  
17 under Articles 4, 29, and 29A of Chapter 116 of the General  
18 Statutes."

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

25 SECTION 1.(c) G.S. 115C-105.49 reads as rewritten:

26 "§ 115C-105.49. School safety exercises.

27 (a) At least once annually, each ~~local school administrative~~ public school unit shall  
28 require each school under its control to hold a full school-wide tabletop exercise and drill based  
29 on the procedures documented in its School Risk Management Plan ~~(SRMP)~~ (SRMP) and shall  
30 report the date and time the drill is conducted to the Center for Safer Schools. The drill shall  
31 include a practice school lockdown due to an intruder on school grounds. Each school is  
32 encouraged to hold a tabletop exercise and drill for multiple hazards included in its SRMP.  
33 Schools are strongly encouraged to include local law enforcement agencies and emergency  
34 management agencies in their tabletop exercises and drills. The purpose of the tabletop exercises  
35 and drills shall be to permit participants to (i) discuss simulated emergency situations in a



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1 low-stress environment, (ii) clarify their roles and responsibilities and the overall logistics of  
2 dealing with an emergency, and (iii) identify areas in which the SRMP needs to be modified.

3 ...  
4 (d) The Department of Public Safety, Division of Emergency Management, and the  
5 Center for Safer Schools shall provide guidance and recommendations to ~~local school~~  
6 ~~administrative-public school~~ units on the types of multiple hazards to plan and respond to,  
7 including intruders on school grounds."

8 **SECTION 1.(d)** G.S. 115C-105.49A(b) reads as rewritten:

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

18 **SECTION 1.(e)** G.S. 115C-105.52 reads as rewritten:

19 **"§ 115C-105.52. School crisis kits.**

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

25 The principal of each school, in coordination with the law enforcement agencies that are part  
26 of the ~~local board of education's-public school unit's~~ School Risk Management Plan, may place  
27 one or more crisis kits at appropriate locations in the school."

28 **SECTION 1.(f)** G.S. 115C-105.53 reads as rewritten:

29 **"§ 115C-105.53. Schematic diagrams and emergency access to school buildings for local  
30 law enforcement agencies.**

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

41 (b) The Department of Public Instruction, in consultation with the Department of Public  
42 Safety, shall develop standards and guidelines for the preparation and content of schematic  
43 diagrams and necessary updates. ~~Local school administrative-Public school~~ units and  
44 participating nonpublic schools may use these standards and guidelines to assist in the  
45 preparation of their schematic diagrams.

46 ...."

47 **SECTION 1.(g)** G.S. 115C-105.54(a) reads as rewritten:

48 "(a) Each ~~local school administrative-public school~~ unit shall provide the following to the  
49 Division of Emergency Management (Division) at the Department of Public Safety: (i) schematic  
50 diagrams, including digital schematic diagrams, and (ii) emergency response information  
51 requested by the Division for the School Risk Management Plan (SRMP). ~~Local school~~

1 ~~administrative~~ Public school units shall also provide updated schematic diagrams and emergency  
2 response information to the Division when such updates are made. The Division shall ensure that  
3 the diagrams and emergency response information are securely stored and distributed as provided  
4 in the SRMP to first responders, emergency personnel, and school personnel and approved by  
5 the Department of Public Instruction."

6 **SECTION 1.(h)** G.S. 115C-218.75(b), (d), and (e) are repealed.

7 **SECTION 1.(i)** G.S. 115C-218.75 is amended by adding a new subsection to read:

8 "(g) Each charter school shall comply with the applicable requirements of Part 2 of Article  
9 8C of this Chapter."

10 **SECTION 1.(j)** G.S. 115C-238.66(7a), (7b), (7c), and (7d) are repealed.

11 **SECTION 1.(k)** G.S. 115C-238.66 is amended by adding a new subdivision to read:

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

14 **SECTION 1.(l)** G.S. 116-239.8(b)(10), (11), (12), and (13) are repealed.

15 **SECTION 1.(m)** G.S. 116-239.8(b) is amended by adding a new subdivision to read:

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

18 **SECTION 1.(n)** G.S. 115C-75.9 is amended by adding a new subsection to read:

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

21 **SECTION 1.(o)** Article 9C of Chapter 115C is amended by adding a new section to  
22 read:

23 "**§ 115C-150.16. School safety.**

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

26 **SECTION 1.(p)** Article 4 of Chapter 116 is amended by adding a new section to  
27 read:

28 "**§ 116-69.2. School safety.**

29 The school shall comply with the applicable requirements of Part 2 of Article 8C of Chapter  
30 115C of the General Statutes."

31 **SECTION 1.(q)** G.S. 116-235 is amended by adding a new subsection to read:

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

34 **SECTION 1.(r)** G.S. 115C-551 reads as rewritten:

35 "**§ 115C-551. Voluntary participation in the State programs.**

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

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

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

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

- 1           (3) School safety exercises. – At least once a year, hold a full school-wide  
2 lockdown exercise with local law enforcement and emergency management  
3 agencies that are part of the private school's SRMP.  
4           (4) Safety information provided to the Department of Public Safety, Division of  
5 Emergency Management. – Provide the following: (i) schematic diagrams,  
6 including digital schematic diagrams, and (ii) emergency response  
7 information requested by the Division for the SRMP. The schematic diagrams  
8 and emergency response information are not considered public records as the  
9 term "public record" is defined under G.S. 132-1 and shall not be subject to  
10 inspection and examination under G.S. 132-6."

11           **SECTION 1.(s)** G.S. 115C-559 reads as rewritten:

12 **"§ 115C-559. Voluntary participation in the State programs.**

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

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

- 17           (1) School Risk Management Plan. – In coordination with local law enforcement  
18 agencies, adopt a School Risk Management Plan (SRMP) relating to incidents  
19 of school violence. In constructing and maintaining these plans, the school  
20 may utilize the School Risk and Response Management System (SRRMS)  
21 established pursuant to G.S. 115C-105.49A. These plans are not considered a  
22 public record as the term "public record" is defined under G.S. 132-1 and shall  
23 not be subject to inspection and examination under G.S. 132-6.  
24           (2) Schematic diagrams and school crisis kits. – Provide schematic diagrams and  
25 keys to the main entrance of school facilities to local law enforcement  
26 agencies, in addition to implementing the provisions in G.S. 115C-105.52.  
27           (3) School safety exercises. – At least once a year, hold a full school-wide  
28 lockdown exercise with local law enforcement and emergency management  
29 agencies that are part of the private school's SRMP.  
30           (4) Safety information provided to the Department of Public Safety, Division of  
31 Emergency Management. – Provide the following: (i) schematic diagrams,  
32 including digital schematic diagrams, and (ii) emergency response  
33 information requested by the Division for the SRMP. The schematic diagrams  
34 and emergency response information are not considered public records as the  
35 term "public record" is defined under G.S. 132-1 and shall not be subject to  
36 inspection and examination under G.S. 132-6."

37           **SECTION 1.(t)** This section becomes effective July 1, 2019, and applies beginning  
38 with the 2019-2020 school year.

39  
40 **PART II. CLARIFY THE POWERS AND DUTIES OF THE CENTER FOR SAFER**  
41 **SCHOOLS**

42           **SECTION 2.(a)** G.S. 115C-105.57 reads as rewritten:

43 **"§ 115C-105.57. Center for Safer Schools.**

44           (a) Center for Safer Schools Established. – There is established the Center for Safer  
45 Schools. The Center for Safer Schools shall be administratively located in the Department of  
46 Public Instruction. The Center for Safer Schools shall consist of an ~~executive director~~ Executive  
47 Director appointed by the Superintendent of Public Instruction and such other professional,  
48 administrative, technical, and clerical personnel as may be necessary to assist the Center for Safer  
49 Schools in carrying out its powers and duties.

1 (b) Executive Director. – The Executive Director shall report to and serve at the pleasure  
2 of the Superintendent of Public Instruction at a salary established by the Superintendent within  
3 the funds appropriated for this purpose.

4 (c) Powers and Duties. – The Center for Safer Schools shall have the following duties,  
5 and all other powers and duties provided in this Article.~~Article:~~

6 (1) Serve as a resource and referral center for the State by conducting research,  
7 sponsoring workshops, and providing information regarding current school  
8 safety concerns.

9 (2) Provide training and professional development for public school personnel in  
10 the development and implementation of initiatives promoting school safety.

11 (3) Maintain and disseminate information to public schools on effective school  
12 safety initiatives in North Carolina and across the nation.

13 (4) Collect, analyze, and disseminate various North Carolina school safety data.

14 (5) Provide technical and instructional assistance to facilitate the development of  
15 partnerships between the public and private sectors to promote school safety  
16 in North Carolina.

17 (6) Recommend a system of accountability to the General Assembly to document  
18 school safety exercises, including practice school lockdowns, required by  
19 G.S. 115C-105.49.

20 (7) Develop policies for threat assessment teams for public school units in  
21 consultation with the Task Force for Safer Schools, Disability Rights North  
22 Carolina, the State Bureau of Investigation, and relevant State government  
23 agencies. These policies are not a public record as the term "public record" is  
24 defined under G.S. 132-1 and shall not be subject to inspection and  
25 examination under G.S. 132-6. These policies shall include at a minimum  
26 procedures for all of the following:

27 a. Assessment of and intervention with a student whose behavior poses  
28 a risk to the safety of school staff or students.

29 b. Involvement of the student's parent or legal guardian throughout the  
30 threat assessment process.

31 c. Referral to LME/MCOs, as provided in G.S. 122C-115.4(b)(9), for  
32 evaluation or treatment, when appropriate.

33 d. Compliance with the Family Educational Rights and Privacy Act  
34 (FERPA), 20 U.S.C. § 1232g, the Individuals with Disabilities  
35 Education Act (IDEA), 29 U.S.C. § 1400, et seq., and Article 9 of  
36 Chapter 115C of the General Statutes.

37 (8) Assist law enforcement officers assigned to schools and their agencies in  
38 active shooter response drills and other pertinent school safety-related  
39 training.

40 (9) Collaborate with the North Carolina Justice Academy, the North Carolina  
41 Criminal Justice Education and Training Standards Commission, and the  
42 North Carolina Sheriffs' Education and Training Standards Commission to  
43 establish and maintain updated training curriculum for school resource  
44 officers.

45 (10) Coordinate grants for school resource officers in elementary and middle  
46 schools and ensure that training requirements for school resource officers  
47 funded by those grants are met.

48 (11) Provide technical assistance to public school units in the development and  
49 implementation of initiatives promoting school safety.

50 (d) Agency Cooperation. – All State agencies and departments shall cooperate with the  
51 Center for Safer Schools in carrying out its powers and duties, as necessary, in accordance with

1 this Article. The Center of Safer Schools shall coordinate, collaborate, and seek information as  
2 necessary to carry out its duties and responsibilities from State and local government agencies,  
3 who shall provide information upon request to the Center. These agencies include the following:

- 4 (1) Department of Public Safety.
- 5 (2) Department of Health and Human Services.
- 6 (3) Department of Public Instruction.
- 7 (4) North Carolina Justice Academy.
- 8 (5) Governor's Crime Commission.
- 9 (6) State Bureau of Investigation Fusion Center, Information Sharing, and  
10 Analysis Center.
- 11 (7) Governing bodies of public school units.
- 12 (8) Local law enforcement agencies.

13 (e) Task Force Guidance. – The Center of Safer Schools shall receive guidance and  
14 advice from the Task Force for Safer Schools."

15 **SECTION 2.(b)** This section is effective when it becomes law. Policies for threat  
16 assessment teams required by G.S. 115C-105.57(c)(7), as enacted by this act, shall be developed  
17 by the Center for Safer Schools no later than December 31, 2019.

### 18 19 **PART III. THREAT ASSESSMENT TEAMS**

20 **SECTION 3.(a)** Article 8C of Chapter 115C of the General Statutes is amended by  
21 adding a new section to read:

#### 22 **"§ 115C-105.60. Threat assessment teams.**

23 (a) Definitions. – The following definitions apply in this section:

- 24 (1) Superintendent. – The superintendent or, if there is no superintendent, the staff  
25 member with the highest decision-making authority.
- 26 (2) Threat. – A concerning communication or behavior that indicates that an  
27 individual poses a danger to the safety of school staff or students through acts  
28 of violence or other behavior that would cause harm to self or others. A threat  
29 may be expressed or communicated behaviorally, orally, visually, in writing,  
30 electronically, or through any other means, and may be considered a threat  
31 regardless of whether it is observed by or communicated directly to the target  
32 of the threat or observed by or communicated to a third party, and regardless  
33 of whether the target of the threat is aware of the threat.
- 34 (3) Threat assessment. – A fact-based process emphasizing an appraisal of  
35 observed, or reasonably observable, behaviors to identify potentially  
36 dangerous or violent situations, to assess them, and to manage or address  
37 them.
- 38 (4) Threat assessment team. – A team that includes persons with expertise in  
39 counseling, instruction, school administration, and law enforcement that  
40 conducts threat assessments in a public school unit when a threat has been  
41 communicated. When practicable, at least one member of a threat assessment  
42 team shall be a school psychologist, or if a school psychologist is not  
43 available, a psychologist or psychiatrist. Members of a threat assessment team  
44 who are not employees of the public school unit may review student records  
45 as provided in 34 C.F.R. § 99.31(a)(1)(i)(B) pursuant to a written agreement  
46 with the public school unit of the requirements and responsibilities for use of  
47 student records under the federal Family Educational and Privacy Rights Act.

48 (b) The governing body of the public school unit shall adopt at a minimum the policies  
49 developed by the Center for Safer Schools, in accordance with G.S. 115C-105.57(c)(7), for the  
50 establishment of threat assessment teams, including the conduct of threat assessments and  
51 intervention with individuals whose behavior may pose a risk to the safety of school staff or

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

3 (c) The superintendent or designee may establish a committee charged with coordination  
4 and monitoring of the threat assessment teams operating within the unit, which may be an existing  
5 committee established by the unit. If a committee is established, the committee shall include  
6 individuals with expertise in human resources, education, school administration, mental health,  
7 and law enforcement.

8 (d) Each school in the public school unit shall have a threat assessment team established  
9 by the superintendent. In the discretion of the superintendent, an established threat assessment  
10 team may serve more than one school in the unit. Each team shall do the following:

11 (1) Provide guidance to students, faculty, and staff regarding recognition of  
12 threatening or aberrant behavior that may represent a risk to the community,  
13 school, or self.

14 (2) When a threat has been communicated, conduct threat assessments to  
15 determine appropriate actions and intervention based on the level of risk  
16 determined by the assessment. A threat assessment team shall determine the  
17 level of risk posed by an individual or situation as follows:

18 a. Low risk. – The individual or situation does not appear to pose a risk  
19 of violence or serious harm to self or others and any exhibited issues  
20 or concerns can be resolved easily.

21 b. Moderate risk. – The individual or situation does not appear to pose a  
22 risk of violence or serious harm to self or others, at this time, but  
23 exhibits behaviors that indicate a continuing intent and potential for  
24 future violence or serious harm to self or others or exhibits other  
25 concerning behavior that requires intervention.

26 c. High risk. – The individual or situation appears to pose a risk of  
27 violence or serious harm to self or others, exhibiting behaviors that  
28 indicate both a continuing intent to harm and efforts to acquire the  
29 capacity to carry out the plan, and may also exhibit other concerning  
30 behavior that requires intervention.

31 d. Imminent risk. – The individual or situation appears to pose a clear  
32 and immediate risk of serious violence toward others that requires  
33 containment and action to protect identified or identifiable target or  
34 targets and may also exhibit other concerning behavior that requires  
35 intervention.

36 (3) Identify members of the school community to whom threats should be  
37 reported.

38 (4) Implement policies adopted by the governing body of the public school unit  
39 pursuant to subsection (b) of this section.

40 (5) Utilize anonymous reporting applications for students to receive information  
41 about school safety concerns requiring investigation.

42 (e) Upon a determination that an individual poses a high risk or imminent risk of violence  
43 or physical harm to self or others, a threat assessment team shall immediately report its  
44 determination to the superintendent or the superintendent's designee, who shall respond as  
45 follows:

46 (1) The superintendent or designee shall immediately attempt to notify the  
47 student's parent or legal guardian. The superintendent may delegate the  
48 responsibility for notification to the principal of the school and may require  
49 notice be made to the principal directly.

50 (2) In the case of an imminent-risk threat determined to be an emergency by the  
51 superintendent or designee under the standards established by the Family

1 Educational and Privacy Rights Act in 20 U.S.C. § 1232g(b)(1)(I), the  
2 superintendent or designee shall provide notice to individuals who are the  
3 subject of the threat and, if a student is the subject of a threat, the  
4 superintendent or designee shall provide notice to the student's parent or legal  
5 guardian. All notices shall be in accordance with the Family Educational and  
6 Privacy Rights Act, 20 U.S.C. § 1232g. The superintendent may delegate the  
7 responsibility for notification to the principal of the school and may require  
8 notice be made to the principal directly.

9 (3) In the case of an imminent-risk threat, the superintendent or designee shall  
10 immediately notify the appropriate local law enforcement agency. In the case  
11 of a high-risk threat, the superintendent or designee shall notify the  
12 appropriate local law enforcement agency when recommended by the threat  
13 assessment team.

14 (4) When recommended by the threat assessment team, the superintendent or  
15 designee shall refer the student to the local management entity/managed care  
16 organization that serves the catchment area in which the student resides for  
17 assistance with identifying appropriate mental health resources, in accordance  
18 with G.S. 122C-115.4(b)(9).

19 (5) The superintendent or designee shall comply with the requirements of Article  
20 27 of this Chapter for any student discipline actions.

21 Nothing in this subsection shall preclude public school personnel from acting immediately to  
22 address an imminent-risk threat.

23 (f) Each threat assessment team established pursuant to this section shall report  
24 quantitative data on its activities to the Center for Safer Schools according to guidance developed  
25 by the Center. Such data shall include, at a minimum, the following:

26 (1) Number of threat assessments conducted annually and demographic  
27 information on subjects of those assessments.

28 (2) Number of threat assessments that resulted in a determination that the  
29 individual being assessed was a high-risk or imminent-risk threat and  
30 demographic information on those individuals.

31 (3) Types of actions taken in response to a determination that the individual being  
32 assessed was a high-risk or imminent-risk threat.

33 (4) Results of actions taken in response to determination that the individual being  
34 assessed was a high-risk or imminent-risk threat.

35 (g) Upon a determination by the threat assessment team that an individual poses an  
36 imminent-risk threat, a threat assessment team may obtain the following:

37 (1) Health records. – Notwithstanding G.S. 8-53 or any other provision of law, a  
38 health care provider may disclose protected health information related to an  
39 imminent-risk threat to the health or safety of school staff or students to a  
40 member of a threat assessment team who is a school nurse, school  
41 psychologist, or other licensed health or licensed mental health professional.  
42 The member of the threat assessment team who receives the health records  
43 shall provide an explanation of the health records when sharing those records  
44 with the remainder of the threat assessment team.

45 (2) Criminal records. – A threat assessment team may obtain criminal history as  
46 provided in G.S. 143B-931A. For a threat assessment of a student with  
47 juvenile records, the threat assessment team shall have access to written  
48 notifications received pursuant to G.S. 7B-3101 and information gained from  
49 examination of juvenile records in accordance with G.S. 7B-3100, held  
50 pursuant to G.S. 115C-404. Records held pursuant to G.S. 115C-404 shall be  
51 returned to the principal following review by the threat assessment team.



1 Any information shared among members of the threat assessment team pursuant to this  
2 subsection shall remain confidential, shall not be a public record subject to Chapter 132 of the  
3 General Statutes, and shall only be released in connection with an emergency under the standards  
4 established by the Family Educational and Privacy Rights Act in 20 U.S.C. § 1232g(b)(1)(I).

5 (h) No governing body of a public school unit, nor its members, employees, designees,  
6 agents, or volunteers, shall be liable in civil damages to any party for any loss or damage caused  
7 by any act or omission relating to the participation in or implementation of any component of the  
8 threat assessment team policies required by this section, unless that act or omission amounts to  
9 gross negligence, wanton conduct, or intentional wrongdoing. Nothing in this section shall be  
10 construed to impose any specific duty of care or standard of care."

11 **SECTION 3.(b)** Article 13 of Chapter 143B of the General Statutes is amended by  
12 adding a new section to read:

13 **"§ 143B-931A. Criminal records checks for threat assessment teams.**

14 The Department of Public Safety may provide a criminal record check to the members of a  
15 threat assessment team established by the governing body of a public school unit, as defined in  
16 G.S. 115C-5(11), pursuant to G.S. 115C-105.60 for the purpose of administering criminal justice  
17 in assessing or intervening when a determination has been made that an individual poses an  
18 imminent-risk threat to school safety. No member of a threat assessment team shall redisclose  
19 any criminal history record information obtained pursuant to this section or otherwise use any  
20 record of an individual beyond the purpose that such disclosure was made to the threat assessment  
21 team."

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

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

27 **SECTION 3.(d)** G.S. 115C-316.1 is amended by adding a new subsection to read:

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

33 **SECTION 3.(e)** G.S. 122C-115.4(b) is amended by adding a new subdivision to  
34 read:

35 "(9) Each LME/MCO shall receive referrals from school superintendents or  
36 designees in accordance with 115C-105.60(e)(4) related to students residing  
37 in the LME/MCO's catchment area. Within ten calendar days after receipt of  
38 a referral, the LME/MCO shall contact the student's parent or legal guardian  
39 using the information provided on the referral and shall provide assistance  
40 with identifying appropriate existing mental health resources available to the  
41 student. The assistance shall include identifying sources of funding to assist  
42 with the cost of mental health services as well as providing referrals to  
43 appropriate mental health service providers and mental health services."

44 **SECTION 3.(f)** This section is effective when it becomes law. All public school  
45 units, as defined in G.S. 115C-5(11), as enacted by subsection (a) of Section 1 of this act, shall  
46 establish policies and threat assessment teams as required by G.S. 115C-105.60, as enacted by  
47 this act, no later than March 1, 2020. Sections 3(c) and 3(d) apply beginning with the 2020-2021  
48 school year. All local boards of education are encouraged to have peer-to-peer student support  
49 programs by the 2019-2020 school year. The remainder of this section applies beginning with  
50 the 2019-2020 school year.  
51

**PART IV. STATE OF EMERGENCY OPERATIONAL STATUS REPORTING**

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

**"§ 115C-105.50. State of emergency operational reports.**

(a) For purposes of this section, the term "countywide state of emergency" means a state of emergency with a defined area covering the entirety of the jurisdiction of a county declared by any of the following:

(1) The President of the United States, under the Stafford Act (P.L. 93-288).

(2) The General Assembly, under G.S. 166A-19.20.

(3) The Governor, under G.S. 166A-19.20.

(4) The governing body of a county, under G.S. 166A-19.22.

(b) In the event of a countywide state of emergency, each public school unit in the county under the state of emergency shall report the operational status of all schools in the unit's jurisdiction to the local board of county commissioners or designee as long as the countywide state of emergency is in place."

**SECTION 4.(b)** This section is effective when it becomes law and applies beginning with the 2019-2020 school year.

**PART V. SCHOOL RESOURCE OFFICER DEFINED/TRAINING STANDARDS/REPORTS**

**SECTION 5.(a)** Article 8C of Chapter 115C of the General Statutes is amended by adding a new section to read:

**"§ 115C-105.70. School resource officer.**

(a) A school resource officer is any law enforcement officer assigned to one or more public schools within a public school unit, at least 20 hours per week, to assist with school security, safety, emergency preparedness, emergency response, or any other responsibility assigned by the public school unit or law enforcement agency that employs the officer. All assigned duties and responsibility shall comply with the requirements of any written memorandum of understanding between the public school unit and the law enforcement agency governing the school resource officer.

(b) All school resource officers must comply with any continuing education training requirements, as established by subsection (c) of this section. A law enforcement officer who did not serve as a school resource officer during the 2019-2020 school year shall also complete the initial training as established by subsection (c) of this section.

(c) The North Carolina Criminal Justice Education and Training Standards Commission and the North Carolina Sheriffs' Education and Training Standards Commission, in collaboration with the Center for Safer Schools and the Department of Health and Human Services, Division of Mental Health, Developmental Disabilities, and Substance Abuse, shall establish initial training and continuing education standards for school resource officers. These standards shall, at a minimum, include training on the following topics: mental health, students with disabilities, and crisis intervention and de-escalation."

**SECTION 5.(b)** G.S. 17C-6(a) is amended by adding a new subdivision to read:

"(19) Establish initial training and continuing education training standards for school resource officers, as set forth in G.S. 115C-105.70."

**SECTION 5.(c)** G.S. 17E-4(a) is amended by adding a new subdivision to read:

"(17) Establish initial training and continuing education training standards for school resource officers, as set forth in G.S. 115C-105.70."

**SECTION 5.(d)** The North Carolina Criminal Justice Education and Training Standards Commission and the North Carolina Sheriffs' Education and Training Standards Commission, in collaboration with the Center for Safer Schools and the Department of Health and Human Services, Division of Mental Health, Developmental Disabilities, and Substance

1 Abuse, shall establish initial training standards for school resource officers no later than January  
2 15, 2020.

3 **SECTION 5.(e)** Article 8C of Chapter 115C of the General Statutes is amended by  
4 adding a new section to read:

5 **"§ 115C-105.71. School resource officer reports.**

6 (a) Each public school unit shall report by September 15, 2019, and annually thereafter,  
7 in writing to the Center for Safer Schools the number of school resource officers and the  
8 placement of each school resource officer in the public school unit. This report shall include the  
9 source of funding and method of employment for each school resource officer position.

10 (b) The Center for Safer Schools shall report by November 15, 2019, and annually  
11 thereafter, to the Joint Legislative Education Oversight Committee an executive summary and  
12 the disaggregated data for each public school unit regarding the information reported by public  
13 school units pursuant to subsection (a) of this section."

14 **SECTION 5.(f)** Subsection (a) of this section is effective when it becomes law and  
15 applies to school resource officers employed beginning with the 2020-2021 school year. The  
16 remainder of this section is effective when it becomes law.

17  
18 **PART VI. SCHOOL BUILDING VULNERABILITY ASSESSMENT**

19 **SECTION 6.(a)** Article 8C of Chapter 115C of the General Statutes is amended by  
20 adding a new section to read:

21 **"§ 115C-105.52A. Facility vulnerability assessments.**

22 (a) At least once annually, each governing body of a public school unit shall require each  
23 school under its control to complete a facility vulnerability assessment for each school building.

24 (b) The Center for Safer Schools, in collaboration with the Department of Public  
25 Instruction, Division of School Operations, shall develop a facility vulnerability assessment tool.  
26 This tool shall be in the form of a checklist designed to assess the potential vulnerabilities arising  
27 from day-to-day policies and procedures in the operation of school buildings. This tool shall be  
28 used by public school units when completing a facility vulnerability assessment."

29 **SECTION 6.(b)** G.S. 115C-105.49A(b), as amended by Section 1(d) of this act,  
30 reads as rewritten:

31 "(b) In constructing the SRRMS, the Division of Emergency Management and the Center  
32 for Safer Schools shall leverage the existing enterprise risk management database, the School  
33 Risk Management Planning tool managed by the Division. The Division shall also leverage the  
34 public school unit and participating nonpublic school schematic diagrams of school facilities.  
35 Where technically feasible, the SRRMS shall integrate any anonymous tip lines established  
36 pursuant to G.S. 115C-105.51 and any 911-initiated panic alarm systems authorized as part of a  
37 SRMP pursuant to G.S. 115C-47(40). Where technically feasible, the SRRMS shall integrate any  
38 facility vulnerability assessments as part of an SRMP pursuant to G.S. 115C-105.52A. The  
39 Division and the Center for Safer Schools shall collaborate with the Department of Public  
40 Instruction and the North Carolina 911 Board in the design, implementation, and maintenance of  
41 the SRRMS."

42 **SECTION 6.(c)** This section is effective when it becomes law. The Center for Safer  
43 Schools and the Department of Public Instruction shall develop the facility vulnerability  
44 assessment tool by January 15, 2020. Each governing body of a public school unit shall require  
45 each school under its control to complete a facility vulnerability assessment for each school  
46 building before the end of the 2019-2020 school year and annually thereafter.

47  
48 **PART VII. EFFECTIVE DATE**

49 **SECTION 7.** Except as otherwise provided, this act is effective when it becomes  
50 law.