

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 76
Committee Substitute Favorable 2/27/19
PROPOSED COMMITTEE SUBSTITUTE H76-PCS30116-BN-4

Short Title: School Safety Omnibus.

(Public)

Sponsors:

Referred to:

February 14, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH THAT SCHOOL SAFETY REQUIREMENTS APPLY TO ALL
3 PUBLIC SCHOOLS, CLARIFY THE POWERS AND DUTIES OF THE CENTER FOR
4 SAFER SCHOOLS, REQUIRE THREAT ASSESSMENT TEAMS BE ESTABLISHED AT
5 EACH PUBLIC SCHOOL AND CODIFY THE DUTIES OF THREAT ASSESSMENT
6 TEAMS, REQUIRE LME/MCOS TO PROVIDE ASSISTANCE TO STUDENTS
7 REFERRED BY THE SUPERINTENDENT, REQUIRE LOCAL BOARDS OF
8 EDUCATION TO REQUIRE PEER-TO-PEER SUPPORT PROGRAMS AT ALL
9 SCHOOLS WITH GRADES SIX AND HIGHER, REQUIRE REPORTING ON THE
10 OPERATIONAL STATUS OF ALL PUBLIC SCHOOLS DURING STATES OF
11 EMERGENCY, DEFINE THE TERM "SCHOOL RESOURCE OFFICER" AND
12 REQUIRE TRAINING FOR SCHOOL RESOURCE OFFICERS, AND REQUIRE
13 ANNUAL VULNERABILITY ASSESSMENTS FOR EACH PUBLIC SCHOOL
14 BUILDING.

15 The General Assembly of North Carolina enacts:

16
17 **PART I. REQUIREMENTS FOR SCHOOL SAFETY FOR ALL PUBLIC SCHOOLS**

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

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

- 20 a. A local school administrative unit.
21 b. A charter school.
22 c. A regional school.
23 d. A school providing elementary or secondary instruction operated by
24 one of the following:
25 1. The State Board of Education, including schools operated
26 under Article 7A and Article 9C of this Chapter.
27 2. The University of North Carolina, including schools operated
28 under Articles 4, 29, and 29A of Chapter 116 of the General
29 Statutes."

30 **SECTION 1.(b)** G.S. 115C-105.46, 115C-105.47A, and 115C-105.48 are codified
31 into Part 1 of Article 8C of Chapter 115C of the General Statutes, Local Plans for Alternative
32 Schools/Alternative Learning Programs and Maintaining Safe and Orderly Schools. Part 1 shall
33 be entitled "Local Plans for Alternative Schools/Alternative Learning Programs." The remaining
34 sections of Article 8C of Chapter 115C of the General Statutes shall be codified into Part 2, which
35 shall be entitled "Maintaining Safe and Orderly Schools."



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

2 "**§ 115C-105.49. School safety exercises.**

3 (a) At least once annually, each ~~local school administrative public school~~ unit shall
4 require each school under its control to hold a full school-wide tabletop exercise and drill based
5 on the procedures documented in its School Risk Management Plan ~~(SRMP)~~. (SRMP) and shall
6 report the date and time the drill is conducted to the Center for Safer Schools. The drill shall
7 include a practice school lockdown due to an intruder on school grounds. Each school is
8 encouraged to hold a tabletop exercise and drill for multiple hazards included in its SRMP.
9 Schools are strongly encouraged to include local law enforcement agencies and emergency
10 management agencies in their tabletop exercises and drills. The purpose of the tabletop exercises
11 and drills shall be to permit participants to (i) discuss simulated emergency situations in a
12 low-stress environment, (ii) clarify their roles and responsibilities and the overall logistics of
13 dealing with an emergency, and (iii) identify areas in which the SRMP needs to be modified.

14 ...

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

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

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

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

30 "**§ 115C-105.52. School crisis kits.**

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

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

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

40 "**§ 115C-105.53. Schematic diagrams and emergency access to school buildings for local**
41 **law enforcement agencies.**

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

1 (b) The Department of Public Instruction, in consultation with the Department of Public
2 Safety, shall develop standards and guidelines for the preparation and content of schematic
3 diagrams and necessary updates. ~~Local school administrative~~ Public school units and
4 participating nonpublic schools may use these standards and guidelines to assist in the
5 preparation of their schematic diagrams.

6"

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

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

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

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

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

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

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

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

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

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

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

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

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

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

34 "**§ 115C-150.16. School safety.**

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

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

39 "**§ 116-69.2. School safety.**

40 The school shall comply with the applicable requirements of Part 2 of Article 8C of Chapter
41 115C of the General Statutes."

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

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

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

46 "**§ 115C-551. Voluntary participation in the State programs.**

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

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

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

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

24 **"§ 115C-559. Voluntary participation in the State programs.**

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

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

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

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

1 **PART II. CLARIFY THE POWERS AND DUTIES OF THE CENTER FOR SAFER**
2 **SCHOOLS**

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

4 **"§ 115C-105.57. Center for Safer Schools.**

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

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

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

- 16 (1) Serve as a resource and referral center for the State by conducting research,
17 sponsoring workshops, and providing information regarding current school
18 safety concerns.
- 19 (2) Provide training and professional development for public school personnel in
20 the development and implementation of initiatives promoting school safety.
- 21 (3) Maintain and disseminate information to public schools on effective school
22 safety initiatives in North Carolina and across the nation.
- 23 (4) Collect, analyze, and disseminate various North Carolina school safety data.
- 24 (5) Provide technical and instructional assistance to facilitate the development of
25 partnerships between the public and private sectors to promote school safety
26 in North Carolina.
- 27 (6) Recommend a system of accountability to the General Assembly to document
28 school safety exercises, including practice school lockdowns, required by
29 G.S. 115C-105.49.
- 30 (7) Develop policies for threat assessment teams for public school units in
31 consultation with the Task Force for Safer Schools, Disability Rights North
32 Carolina, the State Bureau of Investigation, and relevant State government
33 agencies. These policies are not a public record as the term "public record" is
34 defined under G.S. 132-1 and shall not be subject to inspection and
35 examination under G.S. 132-6. These policies shall include at a minimum
36 procedures for all of the following:
 - 37 a. Assessment of and intervention with a student whose behavior poses
38 a risk to the safety of school staff or students.
 - 39 b. Involvement of the student's parent or legal guardian throughout the
40 threat assessment process.
 - 41 c. Referral to LME/MCOs, as provided in G.S. 122C-115.4(b)(9), for
42 evaluation or treatment, when appropriate.
 - 43 d. Compliance with the Family Educational Rights and Privacy Act
44 (FERPA), 20 U.S.C. § 1232g, the Individuals with Disabilities
45 Education Act (IDEA), 29 U.S.C. § 1400, et seq., and Article 9 of
46 Chapter 115C of the General Statutes.
- 47 (8) Assist law enforcement officers assigned to schools and their agencies in
48 active shooter response drills and other pertinent school safety-related
49 training.
- 50 (9) Collaborate with the North Carolina Justice Academy, the North Carolina
51 Criminal Justice Education and Training Standards Commission, and the

1 North Carolina Sheriffs' Education and Training Standards Commission to
2 establish and maintain updated training curriculum for school resource
3 officers.

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

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

9 (d) Agency Cooperation. – All State agencies and departments shall cooperate with the
10 Center for Safer Schools in carrying out its powers and duties, as necessary, in accordance with
11 this Article. The Center of Safer Schools shall coordinate, collaborate, and seek information as
12 necessary to carry out its duties and responsibilities from State and local government agencies,
13 who shall provide information upon request to the Center. These agencies include the following:

14 (1) Department of Public Safety.

15 (2) Department of Health and Human Services.

16 (3) Department of Public Instruction.

17 (4) North Carolina Justice Academy.

18 (5) Governor's Crime Commission.

19 (6) State Bureau of Investigation Fusion Center, Information Sharing, and
20 Analysis Center.

21 (7) Governing bodies of public school units.

22 (8) Local law enforcement agencies.

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

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

29 **PART III. THREAT ASSESSMENT TEAMS**

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

32 **"§ 115C-105.60. Threat assessment teams.**

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

34 (1) Superintendent. – The superintendent or, if there is no superintendent, the staff
35 member with the highest decision-making authority.

36 (2) Threat. – A concerning communication or behavior that indicates that an
37 individual poses a danger to the safety of school staff or students through acts
38 of violence or other behavior that would cause harm to self or others. A threat
39 may be expressed or communicated behaviorally, orally, visually, in writing,
40 electronically, or through any other means, and may be considered a threat
41 regardless of whether it is observed by or communicated directly to the target
42 of the threat or observed by or communicated to a third party, and regardless
43 of whether the target of the threat is aware of the threat.

44 (3) Threat assessment. – A fact-based process emphasizing an appraisal of
45 observed, or reasonably observable, behaviors to identify potentially
46 dangerous or violent situations, to assess them, and to manage or address
47 them.

48 (4) Threat assessment team. – A team that includes persons with expertise in
49 counseling, instruction, school administration, and law enforcement that
50 conducts threat assessments in a public school unit when a threat has been
51 communicated. When practicable, at least one member of a threat assessment

1 team shall be a school psychologist, or if a school psychologist is not
2 available, a psychologist or psychiatrist. Members of a threat assessment team
3 who are not employees of the public school unit may review student records
4 as provided in 34 C.F.R. § 99.31(a)(1)(i)(B) pursuant to a written agreement
5 with the public school unit of the requirements and responsibilities for use of
6 student records under the federal Family Educational and Privacy Rights Act.

7 (b) The governing body of the public school unit shall adopt at a minimum the policies
8 developed by the Center for Safer Schools, in accordance with G.S. 115C-105.57(c)(7), for the
9 establishment of threat assessment teams, including the conduct of threat assessments and
10 intervention with individuals whose behavior may pose a risk to the safety of school staff or
11 students. These policies are not a public record as the term "public record" is defined under
12 G.S. 132-1 and shall not be subject to inspection and examination under G.S. 132-6.

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

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

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

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

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

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

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

41 d. Imminent risk. – The individual or situation appears to pose a clear
42 and immediate risk of serious violence toward others that requires
43 containment and action to protect identified or identifiable target or
44 targets and may also exhibit other concerning behavior that requires
45 intervention.

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

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

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

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

- 5 (1) The superintendent or designee shall immediately attempt to notify the
6 student's parent or legal guardian. 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 (2) In the case of an imminent-risk threat determined to be an emergency by the
10 superintendent or designee under the standards established by the Family
11 Educational and Privacy Rights Act in 20 U.S.C. § 1232g(b)(1)(I), the
12 superintendent or designee shall provide notice to individuals who are the
13 subject of the threat and, if a student is the subject of a threat, the
14 superintendent or designee shall provide notice to the student's parent or legal
15 guardian. All notices shall be in accordance with the Family Educational and
16 Privacy Rights Act, 20 U.S.C. § 1232g. The superintendent may delegate the
17 responsibility for notification to the principal of the school and may require
18 notice be made to the principal directly.
- 19 (3) In the case of an imminent-risk threat, the superintendent or designee shall
20 immediately notify the appropriate local law enforcement agency. In the case
21 of a high-risk threat, the superintendent or designee shall notify the
22 appropriate local law enforcement agency when recommended by the threat
23 assessment team.
- 24 (4) When recommended by the threat assessment team, the superintendent or
25 designee shall refer the student to the local management entity/managed care
26 organization that serves the catchment area in which the student resides for
27 assistance with identifying appropriate mental health resources, in accordance
28 with G.S. 122C-115.4(b)(9).
- 29 (5) The superintendent or designee shall comply with the requirements of Article
30 27 of this Chapter for any student discipline actions.

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

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

- 36 (1) Number of threat assessments conducted annually and demographic
37 information on subjects of those assessments.
- 38 (2) Number of threat assessments that resulted in a determination that the
39 individual being assessed was a high-risk or imminent-risk threat and
40 demographic information on those individuals.
- 41 (3) Types of actions taken in response to a determination that the individual being
42 assessed was a high-risk or imminent-risk threat.
- 43 (4) Results of actions taken in response to determination that the individual being
44 assessed was a high-risk or imminent-risk threat.

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

- 47 (1) Health records. – Notwithstanding G.S. 8-53 or any other provision of law, a
48 health care provider may disclose protected health information related to an
49 imminent-risk threat to the health or safety of school staff or students to a
50 member of a threat assessment team who is a school nurse, school
51 psychologist, or other licensed health or licensed mental health professional.

1 The member of the threat assessment team who receives the health records
2 shall provide an explanation of the health records when sharing those records
3 with the remainder of the threat assessment team.

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

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

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

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

23 **"§ 143B-931A. Criminal records checks for threat assessment teams.**

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

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

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

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

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

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

45 "(9) Each LME/MCO shall receive referrals from school superintendents or
46 designees in accordance with 115C-105.60(e)(4) related to students residing
47 in the LME/MCO's catchment area. Within ten calendar days after receipt of
48 a referral, the LME/MCO shall contact the student's parent or legal guardian
49 using the information provided on the referral and shall provide assistance
50 with identifying appropriate existing mental health resources available to the
51 student. The assistance shall include identifying sources of funding to assist

1 with the cost of mental health services as well as providing referrals to
2 appropriate mental health service providers and mental health services."

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

10 11 **PART IV. STATE OF EMERGENCY OPERATIONAL STATUS REPORTING**

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

14 **"§ 115C-105.50. State of emergency operational reports.**

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

- 18 (1) The President of the United States, under the Stafford Act (P.L. 93-288).
- 19 (2) The General Assembly, under G.S. 166A-19.20.
- 20 (3) The Governor, under G.S. 166A-19.20.
- 21 (4) The governing body of a county, under G.S. 166A-19.22.

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

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

28 29 **PART V. SCHOOL RESOURCE OFFICER DEFINED/TRAINING** 30 **STANDARDS/REPORTS**

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

33 **"§ 115C-105.70. School resource officer.**

34 (a) A school resource officer is any law enforcement officer assigned to one or more
35 public schools within a public school unit, at least 20 hours per week, to assist with all of the
36 following, consistent with any written memorandum of understanding between the public school
37 unit and the law enforcement agency governing the school resource officer:

- 38 (1) School safety.
- 39 (2) School security.
- 40 (3) Emergency preparedness.
- 41 (4) Emergency response.
- 42 (5) Any additional responsibilities related to school safety or security assigned by
43 the officer's employer while the officer is acting as a school resource officer.

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

48 (c) The North Carolina Criminal Justice Education and Training Standards Commission
49 and the North Carolina Sheriffs' Education and Training Standards Commission, in collaboration
50 with the Center for Safer Schools and the Department of Health and Human Services, Division
51 of Mental Health, Developmental Disabilities, and Substance Abuse, shall establish initial

1 training and continuing education standards for school resource officers. These standards shall,
2 at a minimum, include training on the following topics: mental health, students with disabilities,
3 and crisis intervention and de-escalation."

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

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

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

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

10 **SECTION 5.(d)** The North Carolina Criminal Justice Education and Training
11 Standards Commission and the North Carolina Sheriffs' Education and Training Standards
12 Commission, in collaboration with the Center for Safer Schools and the Department of Health
13 and Human Services, Division of Mental Health, Developmental Disabilities, and Substance
14 Abuse, shall establish initial training standards for school resource officers no later than January
15 15, 2020.

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

18 **§ 115C-105.71. School resource officer reports.**

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

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

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

30 31 **PART VI. SCHOOL BUILDING VULNERABILITY ASSESSMENT**

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

34 **§ 115C-105.52A. Facility vulnerability assessments.**

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

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

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

44 "(b) In constructing the SRRMS, the Division of Emergency Management and the Center
45 for Safer Schools shall leverage the existing enterprise risk management database, the School
46 Risk Management Planning tool managed by the Division. The Division shall also leverage the
47 public school unit and participating nonpublic school schematic diagrams of school facilities.
48 Where technically feasible, the SRRMS shall integrate any anonymous tip lines established
49 pursuant to G.S. 115C-105.51 and any 911-initiated panic alarm systems authorized as part of a
50 SRMP pursuant to G.S. 115C-47(40). Where technically feasible, the SRRMS shall integrate any
51 facility vulnerability assessments as part of an SRMP pursuant to G.S. 115C-105.52A. The

1 Division and the Center for Safer Schools shall collaborate with the Department of Public
2 Instruction and the North Carolina 911 Board in the design, implementation, and maintenance of
3 the SRRMS."

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

9
10 **PART VII. EFFECTIVE DATE**

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