

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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HOUSE BILL 380  
Committee Substitute Favorable 4/21/15

Short Title: Statewide School Safety Management.

(Public)

Sponsors:

Referred to:

March 30, 2015

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE DEPARTMENT OF PUBLIC SAFETY TO IMPLEMENT  
A STATEWIDE SCHOOL RISK AND RESPONSE MANAGEMENT SYSTEM, TO  
MAKE CONFORMING CHANGES TO OTHER SCHOOL SAFETY REQUIREMENTS,  
AND TO PROVIDE FOR GRANTS FOR ADDITIONAL SCHOOL COUNSELORS.

The General Assembly of North Carolina enacts:

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

31       (1) Academic program. –

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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