

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

S

1

SENATE BILL 589*

Short Title: 2013 School Safety Act. (Public)

Sponsors: Senators Stein (Primary Sponsor); Barringer, Bryant, McLaurin, and Parmon.

Referred to: Education/Higher Education.

April 4, 2013

A BILL TO BE ENTITLED

AN ACT TO ENSURE THE SAFETY OF CHILDREN IN THE PUBLIC SCHOOLS BY INCREASING THE NUMBER OF SCHOOL RESOURCE OFFICERS, BY ENHANCING THE EFFECTIVENESS OF SCHOOL RESOURCE OFFICERS, AND BY IMPLEMENTING OTHER CRITICAL MEASURES TO ENHANCE CAMPUS SAFETY.

The General Assembly of North Carolina enacts:

PART I. SCHOOL RESOURCE OFFICERS IN ELEMENTARY AND MIDDLE SCHOOLS

SECTION 1. There is appropriated from the General Fund to the Department of Public Instruction the sum of ten million dollars (\$10,000,000) for the 2013-2014 fiscal year and the sum of ten million dollars (\$10,000,000) for the 2014-2015 fiscal year to provide grants to local school administrative units for school resource officers in elementary and middle schools. These funds shall be matched on the basis of two dollars (\$2.00) in State funds for every one dollar (\$1.00) in local funds and shall be used to supplement and not to supplant State, local, and federal funds for school resource officers.

The State Board of Education shall include need-based considerations in its criteria for awarding these grants to local school administrative units. The State Board shall also give lower priority to local school administrative units that have received a grant for additional school psychologists, guidance counselors, and social workers pursuant to Section 2 of this act.

Local school administrative units may use these funds to employ school resource officers in elementary and middle schools, to train them, or both. Any such training shall include instruction on research into the social and cognitive development of elementary school and middle school children.

PART II. SCHOOL PSYCHOLOGISTS, GUIDANCE COUNSELORS, AND SOCIAL WORKERS

SECTION 2.(a) There is appropriated from the General Fund to the Department of Public Instruction the sum of five million dollars (\$5,000,000) for the 2013-2014 fiscal year and the sum of five million dollars (\$5,000,000) for the 2014-2015 fiscal year to provide grants to local school administrative units for additional school psychologists, guidance counselors, and social workers. These funds shall be matched on the basis of one dollar (\$1.00) in State funds for every one dollar (\$1.00) in local funds and shall be used to supplement and not to supplant State, local, and federal funds expended for school psychologists, guidance counselors, and social workers.



1 The State Board of Education shall include need-based considerations in its criteria
2 for awarding these grants to local school administrative units. The State Board shall also give
3 lower priority to local school administrative units that have received a grant for school resource
4 officers pursuant to Section 1 of this act.

5 **SECTION 2.(b)** Article 21 of Chapter 115C of the General Statutes is amended by
6 adding a new section to read:

7 "**§ 115C-316.1. Duties of school counselors.**

8 (a) School counselors shall implement a comprehensive developmental school
9 counseling program in their schools. Counselors shall spend at least eighty percent (80%) of
10 their work time providing direct services to students. Direct services do not include the
11 coordination of standardized testing. Direct services shall consist of:

- 12 (1) Delivering the school guidance curriculum through large-group guidance,
13 interdisciplinary curriculum development, group activities, and parent
14 workshops;
- 15 (2) Guiding individual student planning through individual or small-group
16 assistance and individual or small-group advisement;
- 17 (3) Providing responsive services through consultation with students, families,
18 and staff; individual and small-group counseling; crisis counseling; referrals;
19 and peer facilitation; and
- 20 (4) Performing other student services listed in the Department of Public
21 Instruction school counselor job description that has been approved by the
22 State Board of Education.

23 (b) During the remainder of their work time, counselors shall spend adequate time on
24 school counseling program support activities that consist of professional development;
25 consultation, collaboration, and training; and program management and operations. School
26 counseling program support activities do not include the coordination of standardized testing.
27 However, school counselors may assist other staff with the coordination of standardized
28 testing."

29 **SECTION 2.(c)** Prior to the 2013-2014 school year, each local board of education
30 shall develop a transition plan for implementing subsection (b) of this section within existing
31 resources by reassigning duties within its schools.

32 The State Board of Education shall distribute guidelines to all local school
33 administrative units on the implementation of subsection (b) of this section.
34

35 **PART III. PANIC ALARM SYSTEMS**

36 **SECTION 3.(a)** There is appropriated from the General Fund to the Department of
37 Public Instruction the sum of two million dollars (\$2,000,000) for the 2013-2014 fiscal year
38 and the sum of two million dollars (\$2,000,000) for the 2014-2015 fiscal year to provide grants
39 to local school administrative units for panic alarm systems in schools. These funds shall be
40 matched on the basis of one dollar (\$1.00) in State funds for every one dollar (\$1.00) in local
41 funds and shall be used to supplement and not to supplant State, local, and federal funds for
42 panic alarm systems.

43 The State Board of Education shall include need-based considerations in its criteria
44 for awarding these grants to local school administrative units.

45 **SECTION 3.(b)** Effective July 1, 2015, every public school shall have a panic
46 alarm system that connects with the nearest local law enforcement agency in the school's
47 emergency response plan.
48

49 **PART IV. SCHOOL SAFETY EXERCISES**

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

1 **"§ 115C-105.49. School safety exercises.**

2 (a) At least every two years, each local school administrative unit shall hold a full,
3 system-wide school safety and school lockdown exercise with the local law enforcement
4 agencies that are part of the unit's school safety plan. The purpose of the exercise shall be to
5 permit participants to (i) discuss simulated emergency situations in a low-stress environment,
6 (ii) clarify their roles and responsibilities and the overall logistics of dealing with an
7 emergency, and (iii) identify areas in which the school safety plan needs to be modified.

8 (b) At least once a year, each school shall hold a full, school-wide school safety and
9 lockdown exercise with the local law enforcement agencies that are part of the school's safety
10 plan.

11
12 **PART V. SCHEMATIC DIAGRAMS OF SCHOOL FACILITIES**

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

15 **"§ 115C-105.50. Schematic diagram of school facilities.**

16 (a) Each local school administrative unit shall prepare schematic diagrams of its school
17 facilities and provide (i) the schematic diagrams and (ii) keys to the main entrance of all school
18 facilities to local law enforcement agencies prior to January 1, 2014. The local school
19 administrative unit shall provide updates of the schematic diagrams to local law enforcement
20 agencies when substantial modifications such as new facilities or modifications to doors and
21 windows are made to school facilities.

22 (b) The Department of Public Instruction, in consultation with the Department of Public
23 Safety, shall develop standards and guidelines for the preparation and content of schematic
24 diagrams and necessary updates.

25 (c) The schematic diagrams are not public records under Chapter 132 of the General
26 Statutes."

27
28 **PART VI. ANONYMOUS TIP LINE**

29 **SECTION 6.** Article 8C of Chapter 115C of the General Statutes is amended by
30 adding a new section to read:

31 **"§ 115C-105.51. Anonymous tip lines.**

32 (a) Each local school administrative unit shall develop and operate an anonymous tip
33 line, in coordination with local law enforcement and social services agencies, to receive
34 anonymous information on internal or external risks to school buildings and school-related
35 activities.

36 (b) The Department of Public Instruction, in consultation with the Department of Public
37 Safety, shall develop standards and guidelines for the development, operation, and staffing of
38 tip lines.

39 (c) The Department of Public Instruction shall provide information to local school
40 administrative units on federal, State, local, and private grants available for this purpose."

41
42 **PART VII. SCHOOL SAFETY COMPONENT OF SCHOOL IMPROVEMENT PLANS**

43 **SECTION 7.(a)** G.S. 115C-105.27 reads as rewritten:

44 **"§ 115C-105.27. Development and approval of school improvement plans.**

45 (a) School Improvement Team. – ~~In order to improve student performance, each school~~
46 ~~shall develop a school improvement plan that takes into consideration the annual performance~~
47 ~~goal for that school that is set by the State Board under G.S. 115C-105.35 and the goals set out~~
48 ~~in the mission statement for the public schools adopted by the State Board of Education. The~~
49 principal of each school, representatives of the assistant principals, instructional personnel,
50 instructional support personnel, and teacher assistants assigned to the school building, and

1 parents of children enrolled in the school shall constitute a school improvement ~~team to team.~~
2 The team shall develop a school improvement plan to improve student performance.

3 Representatives of the assistant principals, instructional personnel, instructional support
4 personnel, and teacher assistants shall be elected by their respective groups by secret ballot.

5 Unless the local board of education has adopted an election policy, parents shall be elected
6 by parents of children enrolled in the school in an election conducted by the parent and teacher
7 organization of the school or, if none exists, by the largest organization of parents formed for
8 this purpose. Parents serving on school improvement teams shall reflect the racial and
9 socioeconomic composition of the students enrolled in that school and shall not be members of
10 the building-level staff.

11 Parental involvement is a critical component of school success and positive student
12 achievement; therefore, it is the intent of the General Assembly that parents, along with
13 teachers, have a substantial role in developing school improvement plans. To this end, school
14 improvement team meetings shall be held at a convenient time to assure substantial parent
15 participation.

16 ~~All school improvement plans shall be, to the greatest extent possible, data-driven. School
17 improvement teams shall use the Education Value Added Assessment System (EVAAS) or a
18 compatible and comparable system approved by the State Board of Education, to analyze
19 student data to identify root causes for problems, to determine actions to address them, and to
20 appropriately place students in courses such as Algebra I. School improvement plans shall
21 contain clear, unambiguous targets, explicit indicators and actual measures, and expeditious
22 time frames for meeting the measurement standards.~~

23 (a1) Open Meetings. – School improvement team meetings are subject to the open
24 meetings requirements of Article 33C of Chapter 143 of the General Statutes. Deliberations on
25 the school safety components of the plan shall be in closed session in accordance with
26 G.S. 143-318.11(a)(8). The principal shall ensure that these requirements are met.

27 (a2) Public Records. – The school improvement plan, except for the school safety
28 components of the plan, is a public record subject to Chapter 132 of the General Statutes and
29 shall be posted on the school Web site. The names of the members of the school improvement
30 team, their positions, and the date of their election to the school improvement team shall also be
31 posted on the Web site.

32 The school safety components of the plan are not public records subject to Chapter 132 of
33 the General Statutes.

34 (b) School Improvement Plan. – In order to improve student performance, the school
35 improvement team at each school shall develop a school improvement plan that takes into
36 consideration the annual performance goal for that school that is set by the State Board under
37 G.S. 115C-105.35 and the goals set out in the mission statement for the public schools adopted
38 by the State Board of Education. All school improvement plans shall be, to the greatest extent
39 possible, data-driven. School improvement teams shall use the Education Value Added
40 Assessment System (EVAAS) or a compatible and comparable system approved by the State
41 Board of Education to (i) analyze student data and identify root causes for problems, (ii)
42 determine actions to address them, and (iii) appropriately place students in courses such as
43 Algebra I. School improvement plans shall contain clear, unambiguous targets, explicit
44 indicators and actual measures, and expeditious time frames for meeting the measurement
45 standards.

46 The strategies for improving student performance:

- 47 (1) Shall include a plan for the use of staff development funds that may be made
48 available to the school by the local board of education to implement the
49 school improvement plan. The plan may provide that a portion of these

1 funds is used for mentor training and for release time and substitute teachers
2 while mentors and teachers mentored are meeting;

3 (1a) Repealed by Session Laws 2012-142, s. 7A.1(c), effective July 2, 2012.

4 (2) Shall include a plan to address school safety and discipline concerns;

5 (3) May include a decision to use State funds in accordance with
6 G.S. 115C-105.25;

7 (4) Shall include a plan that specifies the effective instructional practices and
8 methods to be used to improve the academic performance of students
9 identified as at risk of academic failure or at risk of dropping out of school;

10 (5) May include requests for waivers of State laws, rules, or policies for that
11 school. A request for a waiver shall meet the requirements of
12 G.S. 115C-105.26;

13 (6) Shall include a plan to provide a duty-free lunch period for every teacher on
14 a daily basis or as otherwise approved by the school improvement team; and

15 (7) Shall include a plan to provide duty-free instructional planning time for
16 every teacher under G.S. 115C-301.1, with the goal of providing an average
17 of at least five hours of planning time per week.

18 (c) School Vote on the Plan. – Support among affected staff members is essential to
19 successful implementation of a school improvement plan to address improved student
20 performance at that school. The principal of the school shall present the proposed school
21 improvement plan to all of the principals, assistant principals, instructional personnel,
22 instructional support personnel, and teacher assistants assigned to the school building for their
23 review and vote. The vote shall be by secret ballot. The principal shall submit the school
24 improvement plan to the local board of education only if the proposed school improvement
25 plan has the approval of a majority of the staff who voted on the plan.

26 (c1) Consideration of the School Safety Components of the Plan. – The superintendent
27 shall review the school safety components of the school improvement plans and make written
28 recommendations on them to the local board of education. Prior to a vote to accept a school's
29 improvement plan in accordance with G.S. 115C-105.25(d), the local board of education shall
30 review the school safety component of the plan for that school in closed session. The board
31 shall make findings on the safety component of the plan. Neither the safety components of the
32 plan nor the board's findings on the safety components of the plan shall be set out in the
33 minutes of the board.

34 (d) Adoption of the Plan. – The local board of education shall accept or reject the
35 school improvement plan. The local board shall not make any substantive changes in any
36 school improvement plan that it accepts. If the local board rejects a school improvement plan,
37 the local board shall state with specificity its reasons for rejecting the plan; the school
38 improvement team may then prepare another plan, present it to the principals, assistant
39 principals, instructional personnel, instructional support personnel, and teacher assistants
40 assigned to the school building for a vote, and submit it to the local board to accept or reject. If
41 no school improvement plan is accepted for a school within 60 days after its initial submission
42 to the local board, the school or the local board may ask to use the process to resolve
43 disagreements recommended in the guidelines developed by the State Board under
44 G.S. 115C-105.20(b)(5). If this request is made, both the school and local board shall
45 participate in the process to resolve disagreements. If there is no request to use that process,
46 then the local board may develop a school improvement plan for the school. The General
47 Assembly urges the local board to utilize the school's proposed school improvement plan to the
48 maximum extent possible when developing such a plan.

49 (e) Effective Period of the Plan. – A school improvement plan shall remain in effect for
50 no more than two years; however, the school improvement team may amend the plan as often
51 as is necessary or appropriate. If, at any time, any part of a school improvement plan becomes

1 unlawful or the local board finds that a school improvement plan is impeding student
2 performance at a school, the local board may vacate the relevant portion of the plan and may
3 direct the school to revise that portion. The procedures set out in this subsection shall apply to
4 amendments and revisions to school improvement plans.

5 (f) Elimination of Other Unnecessary Plans. – If a local board of education finds that a
6 school improvement plan adequately covers another plan that the local school administrative
7 unit is otherwise required to prepare, the local school administrative unit shall not be required
8 to prepare an additional plan on the matter.

9 (g) Compliance With Requirements. – Any employee, parent, or other interested
10 individual or organization is encouraged to notify the principal of any concerns regarding
11 compliance with this section. In addition, any employee, parent, or other interested individual
12 or organization may submit in writing to the superintendent concerns regarding compliance
13 with this section. The superintendent shall make a good faith effort to investigate the concern.
14 The superintendent shall, upon request, provide a written response to the concern."

15 **SECTION 7.(b)** G.S. 143-318.11(a)(8) reads as rewritten:

16 "(a) Permitted Purposes. – It is the policy of this State that closed sessions shall be held
17 only when required to permit a public body to act in the public interest as permitted in this
18 section. A public body may hold a closed session and exclude the public only when a closed
19 session is required:

20 ...

21 (8) To formulate plans by a local board of education relating to emergency
22 response to incidents of school violence or to formulate and adopt the school
23 safety components of school improvement plans by a local board of
24 education or a school improvement team.

25"

26 **PART VIII. CRISIS KITS**

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

29 **§ 115C-105.53. School crisis kits.**

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

35 The principal of each school, in coordination with the law enforcement agencies that are
36 part of the school's safety plan, shall place one or more crisis kits at appropriate locations in the
37 school."

38 **PART IX. EMERGENCY AND CRISIS TRAINING**

39 **SECTION 9.** The Department of Public Safety, through the North Carolina Center
40 for Safer Schools and in conjunction with the Department of Justice and the Department of
41 Public Instruction, shall develop school emergency and crisis training modules for school
42 employees and provide them to schools as soon as practicable.

43 **PART X. EFFECTIVE DATE**

44 **SECTION 10.** This act becomes effective July 1, 2013. Sections 4 through 8 of this
45 act apply beginning with the 2013-2014 school year.