

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

**H.B. 452**  
**Mar 27, 2013**  
**HOUSE PRINCIPAL CLERK**

H

D

HOUSE DRH10174-LE-6 (12/21)

Short Title: 2013 School Safety Act.

(Public)

Sponsors: Representatives Holloway, Glazier, Faircloth, and Lucas (Primary Sponsors).

Referred to:

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

- 1 (1a) Repealed by Session Laws 2012-142, s. 7A.1(c), effective July 2, 2012.  
2 (2) Shall include a plan to address school safety and discipline concerns;  
3 (3) May include a decision to use State funds in accordance with  
4 G.S. 115C-105.25;  
5 (4) Shall include a plan that specifies the effective instructional practices and  
6 methods to be used to improve the academic performance of students  
7 identified as at risk of academic failure or at risk of dropping out of school;  
8 (5) May include requests for waivers of State laws, rules, or policies for that  
9 school. A request for a waiver shall meet the requirements of  
10 G.S. 115C-105.26;  
11 (6) Shall include a plan to provide a duty-free lunch period for every teacher on  
12 a daily basis or as otherwise approved by the school improvement team; and  
13 (7) Shall include a plan to provide duty-free instructional planning time for  
14 every teacher under G.S. 115C-301.1, with the goal of providing an average  
15 of at least five hours of planning time per week.

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

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

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

47 (e) Effective Period of the Plan. – A school improvement plan shall remain in effect for  
48 no more than two years; however, the school improvement team may amend the plan as often  
49 as is necessary or appropriate. If, at any time, any part of a school improvement plan becomes  
50 unlawful or the local board finds that a school improvement plan is impeding student  
51 performance at a school, the local board may vacate the relevant portion of the plan and may

1 direct the school to revise that portion. The procedures set out in this subsection shall apply to  
2 amendments and revisions to school improvement plans.

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

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

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

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

18 ...

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

23 ...."

## 24 **PART VIII. CRISIS KITS**

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

27 **"§ 115C-105.53. School crisis kits.**

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

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

## 36 **PART IX. EMERGENCY AND CRISIS TRAINING**

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

## 41 **PART X. EFFECTIVE DATE**

42 **SECTION 10.** This act becomes effective July 1, 2013. Sections 4 through 8 of this  
43 act apply beginning with the 2013-2014 school year.  
44  
45  
46