



HOUSE BILL 934: Threat Assessment Teams.

2017-2018 General Assembly

Committee:	House Education - K-12. If favorable, re-refer to Appropriations	Date:	May 30, 2018
Introduced by:	Reps. Torbett, Dobson, Lewis	Prepared by:	Kara McCraw
Analysis of:	Second Edition		Staff Attorney

OVERVIEW: HB 934, as recommended by the House Select Committee on School Safety, would codify the North Carolina Center for Safer Schools and its duties and responsibilities, require the establishment of threat assessment teams in public schools, require peer-to-peer student counseling programs, and provide grants for peer-to-peer student counseling programs.

CURRENT LAW AND BILL ANALYSIS:

Section 1: Would reorganize the statutes in the Article related to school safety for clarity, and create a definition section for terms used in that statute, including the term "local school administrative unit" to refer to the following public schools operating in the State: local school administrative units, charter schools, regional schools, schools operated by the State Board of Education, and schools operated by The University of North Carolina.

Section 2: Currently, the Center for Safer Schools (Center) operates within the Division of School Operations in the Department of Public Instruction, but does not have codified responsibilities.

Section 2 would establish the Center in statute, and create specific responsibilities for the Center, including the following:

- Serving as a resource and referral center on school safety concerns.
- Providing training for public school personnel.
- Collecting, analyzing, and disseminating school safety data.

The Center would receive guidance from the Task Force for Safer Schools, and would collaborate with other State agencies in its work.

Section 3: Would establish a requirement that all local school administrative units have threat assessment teams to assess and intervene with individuals whose behavior may pose a threat to the safety of school staff or students. These teams would be established consistent with model policies developed by the Center. Requirements would include:

- The option for an oversight threat assessment team.
- The requirement that each threat assessment team include persons with expertise in counseling, instruction, school administration, and law enforcement.
- The requirement that threat assessment teams determine if a threat is low risk, moderate risk, high risk, or imminent risk.

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- The requirement to immediately report preliminary determinations that an individual poses a high risk or imminent risk threat of violence or physical harm to self or others to the superintendent or designee, who must:
 - Notify the student's parent or legal guardian.
 - For imminent risk threats, notify the appropriate law enforcement agency.
 - For high risk threats, notify law enforcement when recommended by the threat assessment team.
 - Refer the matter to the appropriate mental health team when recommended by the threat assessment team.
 - Comply with the requirements of statute related to any student discipline actions.
- The requirement to report qualitative data to the Center on threat assessment team activities.
- The authority, upon a preliminary determination that a student poses an imminent risk threat, for the threat assessment team to obtain criminal history record information and health records. This information would remain confidential, would not be a public record, and would only be released in connection with an emergency in conformity with federal law requirements of the Family Educational and Privacy Rights Act.

The section would also authorize the Department of Public Safety to provide criminal record checks to threat assessment teams when a preliminary determination of an imminent risk to school safety has been made.

Section 4: Under current law, G.S. 115C-316.1, school counselors are required to spend at least 80% of their work time providing direct services to students.

Section 4 would require local boards of education to require peer-to-peer student support programs in all schools with grades six or higher, and in other grades as appropriate. School counselors, as part of the direct services provided to students, would be required to coordinate and provide training for the peer-to-peer student support programs.

Section 5: If HB 938, containing identical language to Sections 1 and 4 of this bill, were to become law, the identical language contained in HB 934 would be repealed.

EFFECTIVE DATE: HB 934 would become effective when it becomes law. Guidelines for the threat assessment teams would be required to be developed by the Center for Safer Schools no later than December 31, 2018. Local school administrative units would be required to establish threat assessment teams no later than March 1, 2019. The remainder of HB 934 would apply beginning with the 2018-2019 school year.

BACKGROUND: HB 934, as originally introduced, was recommended by the House Select Committee on School Safety.