



# HOUSE BILL 938: Various School Safety Changes.

**This Bill Analysis  
reflects the contents  
of the bill as it was  
presented in  
committee.**

2017-2018 General Assembly

<b>Committee:</b>	House Education - K-12	<b>Date:</b>	May 30, 2018
<b>Introduced by:</b>	Reps. J. Bell, Lewis, Torbett	<b>Prepared by:</b>	Samantha Yarborough Staff Attorney
<b>Analysis of:</b>	PCS to First Edition H938-CSBN-3		

### OVERVIEW: *House Bill 938 would make the following changes:*

- *Require all charter, regional, and laboratory schools, and encourage nonpublic schools, to develop a school risk management plan, hold school safety exercises, and provide school safety information to local law enforcement and the Division of Emergency Management.*

### *The PCS would make the following changes:*

- *Require peer-to-peer support programs.*
- *Require annual facility vulnerability assessments for each public school building.*
- *Require an annual report on school resource officers by each local school administrative unit and the Center for Safer Schools*
- *Define "school resource officer" and establish school resource officer training requirements*
- *Require innovative schools, the Schools for the Deaf, the Governor Morehead School for the Blind, the School of Science and Mathematics, and UNC School of the Arts high school to also comply with school safety requirements.*

### CURRENT LAW and BILL ANALYSIS:

**Part I:** 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.

Part I 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.

**Part II:** There is no current law addressing the assessment of potential vulnerabilities arising from day-to-day policies and procedures in the operation of school buildings.

Part II would require the Center for Safer Schools to collaborate with the Division of School Operations of the Department of Public Instruction and the Division of Emergency Management of the Department of Public Safety to develop a facility vulnerability assessment tool by January 15, 2019. To the extent feasible, the School Risk and Response Management System (SRRMS) shall integrate any facility vulnerability assessments as part of a School Risk Management Plan (SRMP).

Karen Cochrane-Brown  
Director



Legislative Analysis  
Division  
919-733-2578

# House PCS 938

Page 2

Part II would also require local school administrative units to perform facility vulnerability assessments using the tool developed by the Center for Safer Schools for each school building annually, beginning with the 2018-2019 school year.

**Part III:** Part III would require local boards of education to report information about school resource officers (SROs) to the Center for Safer Schools by September 15 of each year, with the first report due by September 15, 2018. The local boards would be required to report the number and placement of SROs in the local school administrative unit, along with the funding and employment methods for each SRO.

Part III would also require the Center for Safer Schools to report the information received from the local boards of education to the Joint Legislative Education Oversight Committee in the form of an executive summary. The Center would be required to include the disaggregated data by local school administrative unit in the report. This report would be due by November 15 of each year, with the first report due by November 15, 2018.

**Part IV:** Currently, the term "SRO" is not statutorily defined. Additionally, law enforcement officers are not required to complete any training to serve as SROs in North Carolina's public school.

Part IV would define the term SRO, and require law enforcement officers serving as SROs to complete initial training, continuing education training, or both. All law enforcement officers would have to complete continuing education training. Law enforcement officers serving as SROs during the 2018-2019 school year would be exempt from completing the initial training requirements established under House Bill 938.

Part IV would further direct the Criminal Justice Education and Training Standards Commission and the Sheriffs' Education and Training Standards Commission, in collaboration with the Center for Safer Schools, to establish initial training and continuing education standards for SROs. Initial training standards would be required to be adopted by January 15, 2019. The standards would be required to include diversity and equity, tactical, and mental health training.

**Part V:** Part V would divide Article 8C of Chapter 115C into two parts: Part 1, "Local Plans for Alternative Schools/Alternative Learning Programs," and Part 2, "Maintaining Safe and Orderly Schools," which will include the school safety statutes.

Prior to 2015, local school boards, charter schools, and regional schools were encouraged to adopt School Risk Management Plans (SRMPs). Local boards, but not charter schools or regional schools, were encouraged to hold school safety drills based on the SRMP. Local boards, but not charter schools or regional schools were required to provide to local law enforcement and to the Division of Emergency Management in the Department of Public Safety schematic diagrams and emergency access keys to all school buildings.

In 2015, the General Assembly made adoption of SRMPs mandatory for all schools within the jurisdiction of a local board of education and required an annual school-wide tabletop exercise and drill based on the SMRP. Charter schools and regional schools were encouraged to hold annual school-wide tabletop exercises and drills and to provide to local law enforcement and to the Division of Emergency Management the schematic diagrams and emergency access keys to all school buildings. In 2017, when the General Assembly created laboratory schools within the constituent institutions of The University of North Carolina, it encouraged them to adopt SRMPs, hold annual school safety tabletop drills, and provide plans and keys to local law enforcement and the Division of Emergency Management.

Sections 5.(e), 5.(f), 5.(g), 5.(h), 5.(i), 5.(j), 5.(k), 5.(l), 5.(m), and 5.(n) would require all public schools, including charter schools, regional schools, laboratory schools, innovative schools, and the Schools for the Deaf, the Governor Morehead School for the Blind, the School of Science and Mathematics, and the

# House PCS 938

Page 3

School of the Arts high school to meet all the school safety requirements that exist for public schools under the control of a local board of education. These include adoption of SRMPs, annual school-wide tabletop drills and exercises, and provision of schematic diagrams of the schools to local law enforcement and the Division of Emergency Management.

Sections 5.(o) and 5.(p) would encourage but not require nonpublic schools to adopt SRMPs, hold school safety exercises, and provide schematic diagrams to local law enforcement and the Division of Emergency Management.

**EFFECTIVE DATE:** Parts I, II, and III are effective when they become law, and apply beginning with the 2018-2019 school year. Part IV is effective when it becomes law, and applies to SROs employed beginning with the 2019-2020 school year. Part V is effective July 1, 2019 and applies beginning with the 2019-2020 school year.

**BACKGROUND:** The PCS incorporates the contents of HB 937, HB 938, HB 939, and HB 940, and partial contents of HB 934, as recommended by the House Select Committee on School Safety.

*\*Kara McCraw, Kory Goldsmith, Susan Sitze, and Shawn Middlebrooks, Staff Attorneys, substantially contributed to this summary.*