



HOUSE BILL 657: School Safety/Threat Assessment Teams.

2021-2022 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	May 4, 2021
Introduced by:	Rep. Torbett	Prepared by:	Samantha Yarborough Staff Attorney
Analysis of:	Second Edition		

OVERVIEW: HB 657 would do the following:

- Establish that school safety requirements apply to all public schools and allow nonpublic schools to participate.
- Require threat assessment teams be established at each public school and codify the duties of the threat assessment teams.
- Require local boards of education to require peer-to-peer support programs at all schools with grades six and higher.

CURRENT LAW and BILL ANALYSIS:

Section 1: Currently, charter schools, regional schools, and laboratory schools are encouraged, but not required, to participate in all school safety requirements that exist for schools in local school administrative units.

Section 1.(a) would recodify G.S. 115C-105.46, 115C-105.47A, and 115C-105.48 as Part 1 of Article 8C of Chapter 115C of the General Statutes, titled "Local Plans for Alternative Schools/Alternative Learning Programs." The remaining sections would be codified into Part 2, "Maintaining Safe and Orderly Schools".

Sections 1.(b) through 1.(n) address charter schools, regional schools, laboratory schools, innovative schools, and the schools for students with visual and hearing impairments, and would require each to meet all the school safety requirements that exist for local school administrative units. These include adoption of School Risk Management Plans (SRMPs), annual school-wide tabletop drills and exercises, and provision of schematic diagrams of the schools to local law enforcement and the Department of Public Safety (DPS).

Sections 1.(o) and 1.(p) would encourage religious schools and other nonpublic schools to adopt SRMPs, hold school safety exercises, and provide schematic diagrams and other safety information to local law enforcement and the DPS.

Section 2: There is not a current requirement for threat assessment teams in public school units. 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 2.(a) would establish a requirement that all public school units have threat assessment teams to assess and intervene when threatening behavior may pose a risk to the safety of school staff or students. These teams would be established consistent with the policies developed by the Center for Safer Schools in consultation with the Task Force for Safer Schools, Disability Rights North Carolina, the State Bureau of Investigation, and relevant State government agencies.

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Requirements would include:

- Each school within the public school unit must have a threat assessment team. In the discretion of the superintendent, or the staff member with the highest decision-making authority in the unit, a threat assessment team may serve more than one school in the unit.
- Each threat assessment team must include persons with expertise in counseling, instruction, school administration, and law enforcement, and when practicable, a school psychologist.
- Threat assessment teams must evaluate reported threatening behavior and determine the level of risk based on the following scale: low, moderate, high, and imminent risk.
- The threat assessment team must immediately report determinations that a student poses a high risk or imminent risk of violence or physical harm to self or others to the superintendent or designee, who must notify the student's parent or legal guardian.
- If the determination is that the individual poses an imminent risk, the superintendent or designee must notify the appropriate local law enforcement agency. The threat assessment team can also recommend contacting local law enforcement if the individual has been determined to pose a high risk.
- When receiving health or criminal record information about a student during a threat assessment, the threat assessment team must follow the requirements of the Family Educational Rights and Privacy Act (FERPA).
- If the threat assessment team makes a recommendation that a student be referred for mental health services, the superintendent or designee must notify the student's parent or legal guardian. After receiving parental consent, the superintendent or designee must refer certain students to the local management entity/managed care organization (LME/MCO) that serves the catchment area where the student lives.
- The threat assessment team must report quantitative data to the Center for Safer Schools on threat assessment team activities.

Public school units would be required to establish threat assessment team policies and threat assessment teams by March 1, 2022.

Section 2.(b) would allow the DPS to provide a criminal record check to members of a threat assessment team to intervene when a determination has been made that an individual exhibits threatening behavior that poses an imminent risk to school safety. Criminal history information cannot be redisclosed or used beyond the purpose for which it was obtained.

Sections 2.(c) and 2.(d) would require local boards of education to require peer-to-peer mentoring, counseling, and support programs in all schools with grades six or higher, and are encouraged to provide them 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 programs. Peer-to-peer support programs would be required for the 2022-2023 school year but are encouraged for the 2021-2022 school year.

Section 2.(e) would require LME/MCOs that receive mental health referrals as a result of a threat assessment team's determination to contact the student's parent or legal guardian within ten days of receiving the referral. The LME/MCO would have to provide assistance with identifying appropriate existing mental health resources available to the student.

EFFECTIVE DATE: Except as otherwise provided, HB 657 would become effective when it becomes law.