

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019**

S

3

**SENATE BILL 5  
Second Edition Engrossed 2/20/19  
House Committee Substitute Favorable 7/10/19**

Short Title: School Safety Omnibus.

(Public)

Sponsors:

Referred to:

January 31, 2019

A BILL TO BE ENTITLED

1 AN ACT TO ESTABLISH THAT SCHOOL SAFETY REQUIREMENTS APPLY TO ALL  
2 PUBLIC SCHOOLS, CLARIFY THE POWERS AND DUTIES OF THE CENTER FOR  
3 SAFER SCHOOLS, REQUIRE LOCAL BOARDS OF EDUCATION TO REQUIRE  
4 PEER-TO-PEER SUPPORT PROGRAMS AT ALL SCHOOLS WITH GRADES SIX AND  
5 HIGHER, REQUIRE REPORTING ON THE OPERATIONAL STATUS OF ALL PUBLIC  
6 SCHOOLS DURING STATES OF EMERGENCY, DEFINE THE TERM "SCHOOL  
7 RESOURCE OFFICER" AND REQUIRE TRAINING FOR SCHOOL RESOURCE  
8 OFFICERS, AND REQUIRE ANNUAL VULNERABILITY ASSESSMENTS FOR EACH  
9 PUBLIC SCHOOL BUILDING.

10 The General Assembly of North Carolina enacts:

11 **PART I. REQUIREMENTS FOR SCHOOL SAFETY FOR ALL PUBLIC SCHOOLS**

12 **SECTION 1.(a)** G.S. 115C-105.46, 115C-105.47A, and 115C-105.48 are codified  
13 into Part 1 of Article 8C of Chapter 115C of the General Statutes, Local Plans for Alternative  
14 Schools/Alternative Learning Programs and Maintaining Safe and Orderly Schools. Part 1 shall  
15 be entitled "Local Plans for Alternative Schools/Alternative Learning Programs." The remaining  
16 sections of Article 8C of Chapter 115C of the General Statutes shall be codified into Part 2, which  
17 shall be entitled "Maintaining Safe and Orderly Schools."

18 **SECTION 1.(b)** G.S. 115C-105.49 reads as rewritten:

19 **"§ 115C-105.49. School safety exercises.**

20 (a) At least once annually, each ~~local school administrative~~ public school unit shall  
21 require each school under its control to hold a full school-wide tabletop exercise and drill based  
22 on the procedures documented in its School Risk Management Plan ~~(SRMP)~~. (SRMP) and shall  
23 report the date and time the drill is conducted to the Center for Safer Schools. The drill shall  
24 include a practice school lockdown due to an intruder on school grounds. Each school is  
25 encouraged to hold a tabletop exercise and drill for multiple hazards included in its SRMP.  
26 Schools are strongly encouraged to include local law enforcement agencies and emergency  
27 management agencies in their tabletop exercises and drills. The purpose of the tabletop exercises  
28 and drills shall be to permit participants to (i) discuss simulated emergency situations in a  
29 low-stress environment, (ii) clarify their roles and responsibilities and the overall logistics of  
30 dealing with an emergency, and (iii) identify areas in which the SRMP needs to be modified.

31 ...

32 (d) The Department of Public Safety, Division of Emergency Management, and the  
33 Center for Safer Schools shall provide guidance and recommendations to ~~local school~~



1 ~~administrative-public school~~ units on the types of multiple hazards to plan and respond to,  
2 including intruders on school grounds."

3 **SECTION 1.(c)** G.S. 115C-105.49A(b) reads as rewritten:

4 "(b) In constructing the SRRMS, the Division of Emergency Management and the Center  
5 for Safer Schools shall leverage the existing enterprise risk management database, the School  
6 Risk Management Planning tool managed by the Division. The Division shall also leverage the  
7 ~~local school administrative-public school unit~~ and participating nonpublic school schematic  
8 diagrams of school facilities. Where technically feasible, the SRRMS shall integrate any  
9 anonymous tip lines established pursuant to G.S. 115C-105.51 and any 911-initiated panic alarm  
10 systems authorized as part of a SRMP pursuant to G.S. 115C-47(40). The Division and the Center  
11 for Safer Schools shall collaborate with the Department of Public Instruction and the North  
12 Carolina 911 Board in the design, implementation, and maintenance of the SRRMS."

13 **SECTION 1.(d)** G.S. 115C-105.52 reads as rewritten:

14 "**§ 115C-105.52. School crisis kits.**

15 The Department of Public Instruction, in consultation with the Department of Public Safety  
16 through the North Carolina Center for Safer Schools, may develop and adopt policies on the  
17 placement of school crisis kits in schools and on the contents of those kits. The kits should  
18 include, at a minimum, basic first-aid supplies, communications devices, and other items  
19 recommended by the International Association of Chiefs of Police.

20 The principal of each school, in coordination with the law enforcement agencies that are part  
21 of the ~~local board of education's public school unit's~~ School Risk Management Plan, may place  
22 one or more crisis kits at appropriate locations in the school."

23 **SECTION 1.(e)** G.S. 115C-105.53 reads as rewritten:

24 "**§ 115C-105.53. Schematic diagrams and emergency access to school buildings for local  
25 law enforcement agencies.**

26 (a) Each ~~local school administrative-public school~~ unit shall provide the following to  
27 local law enforcement agencies: (i) schematic diagrams, including digital schematic diagrams,  
28 and (ii) either keys to the main entrance of all school buildings or emergency access to key storage  
29 devices such as KNOX® boxes for all school buildings. ~~Local school administrative-Public~~  
30 school units shall provide updates of the schematic diagrams to local law enforcement agencies  
31 when substantial modifications such as new facilities or modifications to doors and windows are  
32 made to school buildings. ~~Local school administrative-Public school~~ units shall also be  
33 responsible for providing local law enforcement agencies with updated access to school buildings  
34 when changes are made to the locks of the main entrances or to key storage devices such as  
35 KNOX® boxes.

36 (b) The Department of Public Instruction, in consultation with the Department of Public  
37 Safety, shall develop standards and guidelines for the preparation and content of schematic  
38 diagrams and necessary updates. ~~Local school administrative-Public school units~~ and  
39 participating nonpublic schools may use these standards and guidelines to assist in the  
40 preparation of their schematic diagrams.

41 ...."

42 **SECTION 1.(f)** G.S. 115C-105.54(a) reads as rewritten:

43 "(a) Each ~~local school administrative-public school~~ unit shall provide the following to the  
44 Division of Emergency Management (Division) at the Department of Public Safety: (i) schematic  
45 diagrams, including digital schematic diagrams, and (ii) emergency response information  
46 requested by the Division for the School Risk Management Plan (SRMP). ~~Local school~~  
47 administrative-Public school units shall also provide updated schematic diagrams and emergency  
48 response information to the Division when such updates are made. The Division shall ensure that  
49 the diagrams and emergency response information are securely stored and distributed as provided  
50 in the SRMP to first responders, emergency personnel, and school personnel and approved by  
51 the Department of Public Instruction."

1           **SECTION 1.(g)** G.S. 115C-218.75(b), (d), and (e) are repealed.

2           **SECTION 1.(h)** G.S. 115C-218.75 is amended by adding a new subsection to read:  
3           "(g) Each charter school shall comply with the applicable requirements of Part 2 of Article  
4           8C of this Chapter."

5           **SECTION 1.(i)** G.S. 115C-238.66(7a), (7b), (7c), and (7d) are repealed.

6           **SECTION 1.(j)** G.S. 115C-238.66 is amended by adding a new subdivision to read:  
7           "(14) Each regional school shall comply with the applicable requirements of Part 2  
8           of Article 8C of this Chapter."

9           **SECTION 1.(k)** G.S. 116-239.8(b)(10), (11), (12), and (13) are repealed.

10          **SECTION 1.(l)** G.S. 116-239.8(b) is amended by adding a new subdivision to read:  
11          "(17) Laboratory schools shall comply with the applicable requirements of Part 2 of  
12          Article 8C of Chapter 115C of the General Statutes."

13          **SECTION 1.(m)** G.S. 115C-75.9 is amended by adding a new subsection to read:

14          "(h1) School Safety. – Innovative schools shall comply with the applicable requirements of  
15          Part 2 of Article 8C of Chapter 115C of the General Statutes."

16          **SECTION 1.(n)** Article 9C of Chapter 115C is amended by adding a new section to  
17          read:

18          "§ 115C-150.16. School safety.

19          A school governed by this Article shall comply with the applicable requirements of Part 2 of  
20          Article 8C of Chapter 115C of the General Statutes."

21          **SECTION 1.(o)** Article 4 of Chapter 116 is amended by adding a new section to  
22          read:

23          "§ 116-69.2. School safety.

24          The school shall comply with the applicable requirements of Part 2 of Article 8C of Chapter  
25          115C of the General Statutes."

26          **SECTION 1.(p)** G.S. 116-235 is amended by adding a new subsection to read:

27          "(j) School Safety. – The school shall comply with the applicable requirements of Part 2  
28          of Article 8C of Chapter 115C of the General Statutes."

29          **SECTION 1.(q)** G.S. 115C-551 reads as rewritten:

30          "§ 115C-551. Voluntary participation in the State programs.

31          (a) Any ~~such~~ private church school or school of religious charter may, on a voluntary  
32          basis, participate in any State operated or sponsored program which would otherwise be available  
33          to such school, including but not limited to the high school competency testing and statewide  
34          testing programs.

35          (b) All private church schools and all schools of religious charter are encouraged to do  
36          the following:

37                 (1) School Risk Management Plan. – In coordination with local law enforcement  
38                 agencies, adopt a School Risk Management Plan (SRMP) relating to incidents  
39                 of school violence. In constructing and maintaining these plans, the school  
40                 may utilize the School Risk and Response Management System (SRRMS)  
41                 established pursuant to G.S. 115C-105.49A. These plans are not considered a  
42                 public record as the term "public record" is defined under G.S. 132-1 and shall  
43                 not be subject to inspection and examination under G.S. 132-6.

44                 (2) Schematic diagrams and school crisis kits. – Provide schematic diagrams and  
45                 keys to the main entrance of school facilities to local law enforcement  
46                 agencies, in addition to implementing the provisions in G.S. 115C-105.52.

47                 (3) School safety exercises. – At least once a year, hold a full school-wide  
48                 lockdown exercise with local law enforcement and emergency management  
49                 agencies that are part of the private school's SRMP.

50                 (4) Safety information provided to the Department of Public Safety, Division of  
51                 Emergency Management. – Provide the following: (i) schematic diagrams,

1 including digital schematic diagrams, and (ii) emergency response  
2 information requested by the Division for the SRMP. The schematic diagrams  
3 and emergency response information are not considered public records as the  
4 term "public record" is defined under G.S. 132-1 and shall not be subject to  
5 inspection and examination under G.S. 132-6."

6 **SECTION 1.(r)** G.S. 115C-559 reads as rewritten:

7 **"§ 115C-559. Voluntary participation in the State programs.**

8 (a) Any ~~such~~ qualified nonpublic school may, on a voluntary basis, participate in any  
9 State operated or sponsored program which would otherwise be available to such school,  
10 including but not limited to the high school competency testing and statewide testing programs.

11 (b) All qualified nonpublic schools are encouraged to do the following:

12 (1) School Risk Management Plan. – In coordination with local law enforcement  
13 agencies, adopt a School Risk Management Plan (SRMP) relating to incidents  
14 of school violence. In constructing and maintaining these plans, the school  
15 may utilize the School Risk and Response Management System (SRRMS)  
16 established pursuant to G.S. 115C-105.49A. These plans are not considered a  
17 public record as the term "public record" is defined under G.S. 132-1 and shall  
18 not be subject to inspection and examination under G.S. 132-6.

19 (2) Schematic diagrams and school crisis kits. – Provide schematic diagrams and  
20 keys to the main entrance of school facilities to local law enforcement  
21 agencies, in addition to implementing the provisions in G.S. 115C-105.52.

22 (3) School safety exercises. – At least once a year, hold a full school-wide  
23 lockdown exercise with local law enforcement and emergency management  
24 agencies that are part of the private school's SRMP.

25 (4) Safety information provided to the Department of Public Safety, Division of  
26 Emergency Management. – Provide the following: (i) schematic diagrams,  
27 including digital schematic diagrams, and (ii) emergency response  
28 information requested by the Division for the SRMP. The schematic diagrams  
29 and emergency response information are not considered public records as the  
30 term "public record" is defined under G.S. 132-1 and shall not be subject to  
31 inspection and examination under G.S. 132-6."

32 **SECTION 1.(s)** This section is effective when it becomes law and applies beginning  
33 with the 2019-2020 school year.

## 34 35 **PART II. CLARIFY THE POWERS AND DUTIES OF THE CENTER FOR SAFER** 36 **SCHOOLS**

37 **SECTION 2.(a)** G.S. 115C-105.57 reads as rewritten:

38 **"§ 115C-105.57. Center for Safer Schools.**

39 (a) Center for Safer Schools Established. – There is established the Center for Safer  
40 Schools. The Center for Safer Schools shall be administratively located in the Department of  
41 Public Instruction. The Center for Safer Schools shall consist of an ~~executive director~~ Executive  
42 Director appointed by the Superintendent of Public Instruction and such other professional,  
43 administrative, technical, and clerical personnel as may be necessary to assist the Center for Safer  
44 Schools in carrying out its powers and duties.

45 (b) Executive Director. – The Executive Director shall report to and serve at the pleasure  
46 of the Superintendent of Public Instruction at a salary established by the Superintendent within  
47 the funds appropriated for this purpose.

48 (c) Powers and Duties. – The Center for Safer Schools shall have the following duties  
49 and all other powers and duties provided in this Article.

- 1           (1)   Serve as a resource and referral center for the State by conducting research,  
2           sponsoring workshops, and providing information regarding current school  
3           safety concerns.
- 4           (2)   Provide training and professional development for public school personnel in  
5           the development and implementation of initiatives promoting school safety,  
6           including ensuring school personnel know how to properly engage school  
7           resource officers.
- 8           (3)   Maintain and disseminate information to public schools on effective school  
9           safety initiatives in North Carolina and across the nation, including proper  
10           engagement of school resource officer by school personnel.
- 11           (4)   Collect, analyze, and disseminate various North Carolina school safety data.
- 12           (5)   Provide technical and instructional assistance to facilitate the development of  
13           partnerships between the public and private sectors to promote school safety  
14           in North Carolina.
- 15           (6)   Recommend a system of accountability to the General Assembly to document  
16           school safety exercises, including practice school lockdowns, required by  
17           G.S. 115C-105.49.
- 18           (7)   Assist law enforcement officers assigned to schools and their agencies in  
19           active shooter response drills and other pertinent school safety-related  
20           training.
- 21           (8)   Collaborate with the North Carolina Justice Academy, the North Carolina  
22           Criminal Justice Education and Training Standards Commission, and the  
23           North Carolina Sheriffs' Education and Training Standards Commission to  
24           establish and maintain updated training curriculum for school resource  
25           officers.
- 26           (9)   Coordinate grants for school resource officers in elementary and middle  
27           schools and ensure that training requirements for school resource officers  
28           funded by those grants are met.
- 29           (10) Provide technical assistance to public school units in the development and  
30           implementation of initiatives promoting school safety.

31           (d)   Agency Cooperation. – All State agencies and departments shall cooperate with the  
32 Center for Safer Schools in carrying out its powers and duties, as necessary, in accordance with  
33 this Article. The Center of Safer Schools shall coordinate, collaborate, and seek information as  
34 necessary to carry out its duties and responsibilities from State and local government agencies,  
35 who shall provide information upon request to the Center. These agencies include the following:

- 36           (1)   Department of Public Safety.
- 37           (2)   Department of Health and Human Services.
- 38           (3)   Department of Public Instruction.
- 39           (4)   North Carolina Justice Academy.
- 40           (5)   Governor's Crime Commission.
- 41           (6)   State Bureau of Investigation Fusion Center, Information Sharing, and  
42           Analysis Center.
- 43           (7)   Governing bodies of public school units.
- 44           (8)   Local law enforcement agencies.

45           (e)   Task Force Guidance. – The Center of Safer Schools shall receive guidance and  
46 advice from the Task Force for Safer Schools."

47           **SECTION 2.(b)** This section is effective when it becomes law.

### 49 **PART III. STATE OF EMERGENCY OPERATIONAL STATUS REPORTING**

50           **SECTION 3.(a)** Article 8C of Chapter 115C of the General Statutes is amended by  
51 adding a new section to read:

1 **"§ 115C-105.50. State of emergency operational reports.**

2 (a) For purposes of this section, the term "countywide state of emergency" means a state  
3 of emergency with a defined area covering the entirety of the jurisdiction of a county declared  
4 by any of the following:

- 5 (1) The President of the United States, under the Stafford Act (P.L. 93-288).  
6 (2) The General Assembly, under G.S. 166A-19.20.  
7 (3) The Governor, under G.S. 166A-19.20.  
8 (4) The governing body of a county, under G.S. 166A-19.22.

9 (b) In the event of a countywide state of emergency, each public school unit in the county  
10 under the state of emergency shall report the operational status of all schools in the unit's  
11 jurisdiction to the local board of county commissioners or designee as long as the countywide  
12 state of emergency is in place."

13 **SECTION 3.(b)** This section is effective when it becomes law and applies beginning  
14 with the 2019-2020 school year.

15  
16 **PART IV. SCHOOL RESOURCE OFFICER DEFINED/TRAINING**  
17 **STANDARDS/REPORTS**

18 **SECTION 4.(a)** Article 8C of Chapter 115C of the General Statutes is amended by  
19 adding a new section to read:

20 **"§ 115C-105.70. School resource officer.**

21 (a) A school resource officer is any law enforcement officer assigned to one or more  
22 public schools within a public school unit, at least 20 hours per week, to assist with all of the  
23 following, consistent with any written memorandum of understanding between the public school  
24 unit and the law enforcement agency governing the school resource officer:

- 25 (1) School safety.  
26 (2) School security.  
27 (3) Emergency preparedness.  
28 (4) Emergency response.  
29 (5) Any additional responsibilities related to school safety or security assigned by  
30 the officer's employer while the officer is acting as a school resource officer.

31 (b) All school resource officers must comply with any continuing education training  
32 requirements, as established by subsection (c) of this section. A law enforcement officer who did  
33 not serve as a school resource officer during the 2019-2020 school year shall also complete the  
34 initial training as established by subsection (c) of this section.

35 (c) The North Carolina Criminal Justice Education and Training Standards Commission  
36 and the North Carolina Sheriffs' Education and Training Standards Commission, in collaboration  
37 with the Center for Safer Schools and the Department of Health and Human Services, Division  
38 of Mental Health, Developmental Disabilities, and Substance Abuse, shall establish initial  
39 training and continuing education standards for school resource officers. These standards shall,  
40 at a minimum, include training on the following topics: mental health, students with disabilities,  
41 racial equity, and crisis intervention and de-escalation."

42 **SECTION 4.(b)** G.S. 17C-6(a) is amended by adding a new subdivision to read:

43 "(19) Establish initial training and continuing education training standards for  
44 school resource officers, as set forth in G.S. 115C-105.70."

45 **SECTION 4.(c)** G.S. 17E-4(a) is amended by adding a new subdivision to read:

46 "(17) Establish initial training and continuing education training standards for  
47 school resource officers, as set forth in G.S. 115C-105.70."

48 **SECTION 4.(d)** The North Carolina Criminal Justice Education and Training  
49 Standards Commission and the North Carolina Sheriffs' Education and Training Standards  
50 Commission, in collaboration with the Center for Safer Schools and the Department of Health  
51 and Human Services, Division of Mental Health, Developmental Disabilities, and Substance

1 Abuse, shall establish initial training standards for school resource officers no later than January  
2 15, 2020.

3 **SECTION 4.(e)** Article 8C of Chapter 115C of the General Statutes is amended by  
4 adding a new section to read:

5 "**§ 115C-105.71. School resource officer reports.**

6 (a) Each public school unit shall report by September 15, 2019, and annually thereafter,  
7 in writing to the Center for Safer Schools the number of school resource officers and the  
8 placement of each school resource officer in the public school unit. This report shall include the  
9 source of funding and method of employment for each school resource officer position.

10 (b) The Center for Safer Schools shall report by November 15, 2019, and annually  
11 thereafter, to the Joint Legislative Education Oversight Committee an executive summary and  
12 the disaggregated data for each public school unit regarding the information reported by public  
13 school units pursuant to subsection (a) of this section."

14 **SECTION 4.(f)** Subsection (a) of this section is effective when it becomes law and  
15 applies to school resource officers employed beginning with the 2020-2021 school year. The  
16 remainder of this section is effective when it becomes law.

17  
18 **PART V. SCHOOL BUILDING VULNERABILITY ASSESSMENT**

19 **SECTION 5.(a)** Article 8C of Chapter 115C of the General Statutes is amended by  
20 adding a new section to read:

21 "**§ 115C-105.52A. Facility vulnerability assessments.**

22 (a) At least once annually, each governing body of a public school unit shall require each  
23 school under its control to complete a facility vulnerability assessment for each school building.

24 (b) The Center for Safer Schools, in collaboration with the Department of Public  
25 Instruction, Division of School Operations, shall develop a facility vulnerability assessment tool.  
26 This tool shall be in the form of a checklist designed to assess the potential vulnerabilities arising  
27 from day-to-day policies and procedures in the operation of school buildings. This tool shall be  
28 used by public school units when completing a facility vulnerability assessment.

29 (c) No governing body of a public school unit, nor its members, employees, designees,  
30 agents, or volunteers, shall be liable in civil damages to any party for any loss or damage caused  
31 by any act or omission relating to the participation in or implementation of a facility vulnerability  
32 assessment required by this section, unless that act or omission amounts to gross negligence,  
33 wanton conduct, or intentional wrongdoing. Nothing in this section shall be construed to impose  
34 any specific duty of care or standard of care."

35 **SECTION 5.(b)** G.S. 115C-105.49A(b), as amended by Section 1(c) of this act,  
36 reads as rewritten:

37 "(b) In constructing the SRRMS, the Division of Emergency Management and the Center  
38 for Safer Schools shall leverage the existing enterprise risk management database, the School  
39 Risk Management Planning tool managed by the Division. The Division shall also leverage the  
40 public school unit and participating nonpublic school schematic diagrams of school facilities.  
41 Where technically feasible, the SRRMS shall integrate any anonymous tip lines established  
42 pursuant to G.S. 115C-105.51 and any 911-initiated panic alarm systems authorized as part of a  
43 SRMP pursuant to G.S. 115C-47(40). Where technically feasible, the SRRMS shall integrate any  
44 facility vulnerability assessments as part of an SRMP pursuant to G.S. 115C-105.52A. The  
45 Division and the Center for Safer Schools shall collaborate with the Department of Public  
46 Instruction and the North Carolina 911 Board in the design, implementation, and maintenance of  
47 the SRRMS."

48 **SECTION 5.(c)** This section is effective when it becomes law. The Center for Safer  
49 Schools and the Department of Public Instruction shall develop the facility vulnerability  
50 assessment tool by January 15, 2020. Each governing body of a public school unit shall require

1 each school under its control to complete a facility vulnerability assessment for each school  
2 building before the end of the 2019-2020 school year and annually thereafter.

3

4 **PART VI. EFFECTIVE DATE**

5 **SECTION 6.** Except as otherwise provided, this act is effective when it becomes  
6 law.