

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

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SENATE BILL 476  
Education/Higher Education Committee Substitute Adopted 4/10/19  
House Committee Substitute Favorable 7/10/19

Short Title: Compt-Based Assess. & Mental Hlth/Teen Viol.

(Public)

Sponsors:

Referred to:

April 3, 2019

A BILL TO BE ENTITLED

AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO RECOMMEND STEPS NECESSARY TO TRANSITION TO A COMPETENCY-BASED ASSESSMENT AND TEACHING MODEL FOR ALL ELEMENTARY AND SECONDARY STUDENTS IN NORTH CAROLINA AND TO REQUIRE PUBLIC SCHOOL UNITS TO ADOPT AND TO IMPLEMENT A SUICIDE RISK REFERRAL PROTOCOL, A MENTAL HEALTH TRAINING PROGRAM, AND A POLICY AGAINST TEEN DATING VIOLENCE AND ABUSE.

The General Assembly of North Carolina enacts:

**PART I. COMPETENCY-BASED ASSESSMENTS AND TEACHING MODEL**

**SECTION 1.(a)** Pursuant to the intent of the General Assembly expressed in Section 8.12 of Session Law 2015-241, the State Board of Education shall determine and analyze the steps necessary to transition to a competency-based assessment and teaching model for all elementary and secondary students. Based on its analysis, the State Board shall recommend transition steps that accomplish the following competency-based objectives:

- (1) Students advance upon mastery.
- (2) Competencies are broken down into explicit and measurable learning objectives.
- (3) Assessment is meaningful for students, accomplishes the goals of the statewide testing program for measuring student achievement and student growth, and complies with the conditions of federal grant funds.
- (4) Students receive differentiated support based on their learning needs.
- (5) Learning outcomes emphasize competencies that include the application and creation of knowledge.

In conducting its analysis, the State Board shall examine (i) competency-based assessments in other states, including potential benefits and obstacles to implementing similar systems in North Carolina, (ii) the relationship between competency-based assessments and innovative teaching methods utilized in North Carolina schools, and (iii) any other considerations the Board deems relevant to transitioning to a competency-based assessment and teaching model. No later than May 15, 2020, the State Board shall submit a report of its analysis and recommended transition steps to the Joint Legislative Education Oversight Committee.

**SECTION 1.(b)** This section is effective when it becomes law.



1 **PART II. SUICIDE RISK REFERRAL PROTOCOL AND MENTAL HEALTH**  
2 **TRAINING PROGRAMS**

3 **SECTION 2.(a)** G.S. 115C-47 is amended by adding a new subdivision to read:

4 "(64) To adopt a suicide risk referral protocol and a mental health training program.  
5 – Each local board of education shall adopt and implement a suicide risk  
6 referral protocol and a mental health training program for school personnel  
7 who work directly with students in grades kindergarten through 12, as  
8 required by G.S. 115C-375.11."

9 **SECTION 2.(b)** G.S. 115C-218.75 is amended by adding a new subsection to read:

10 "(g) Suicide Risk Referral Protocol and Mental Health Training Program. – A charter  
11 school shall adopt and implement a suicide risk referral protocol and a mental health training  
12 program in accordance with G.S. 115C-375.11."

13 **SECTION 2.(c)** G.S. 115C-238.66 is amended by adding a new subdivision to read:

14 "(14) Suicide risk referral protocol and mental health training program. – The board  
15 of directors shall adopt and implement a suicide risk referral protocol and a  
16 mental health training program in accordance with G.S. 115C-375.11."

17 **SECTION 2.(d)** G.S. 116-239.8(b) is amended by adding a new subdivision to read:

18 "(17) Suicide risk referral protocol and mental health training program. – The  
19 chancellor shall adopt and ensure implementation of a suicide risk referral  
20 protocol and a mental health training program in accordance with  
21 G.S. 115C-375.11."

22 **SECTION 2.(e)** The title of Article 25A of Chapter 115C of the General Statutes  
23 reads as rewritten:

24 "Article 25A.

25 "Special Medical Needs and Mental Health Needs of Students."

26 **SECTION 2.(f)** Article 25A of Chapter 115C of the General Statutes is amended by  
27 adding a new section to read:

28 "§ 115C-375.11. Suicide risk referral protocol and mental health training program  
29 required.

30 (a) Each public school unit shall adopt and implement a suicide risk referral protocol for  
31 school personnel who work directly with students in grades kindergarten through 12. The  
32 protocol shall, at a minimum, do all of the following:

33 (1) Inform school personnel of suicide risk referral procedures, including the  
34 provision of training.

35 (2) Establish crisis teams.

36 (3) Inform school personnel on how to identify and intervene in appropriate  
37 situations.

38 (b) Each public school unit shall adopt and implement a mental health training program  
39 for school personnel who work directly with students in grades kindergarten through 12. The  
40 mental health training program adopted by a public school unit shall address the following topics:

41 (1) Youth mental health.

42 (2) Suicide prevention.

43 (3) Substance abuse.

44 (4) Sexual abuse prevention.

45 (5) Sex trafficking prevention.

46 (c) Public school units shall periodically review and update their adopted suicide risk  
47 referral protocols and mental health training programs, as necessary.

48 (d) For the purposes of this section, "school personnel" are teachers, instructional support  
49 personnel, principals, and assistant principals. This term may also include, in the discretion of  
50 the public school unit, other school employees who work directly with students in grades  
51 kindergarten through 12.

1       (e) Nothing in this section shall be construed to impose an additional duty on any public  
2 school unit or its employees, to provide referrals, suicide prevention measures, or mental health  
3 services to students of the unit.

4       (f) No public school unit or its members, employees, designees, agents, or volunteers  
5 shall be liable in civil damages to any party for any loss or damage caused by any act or omission  
6 relating to the provision of, participation in, or implementation of any component of a suicide  
7 risk referral protocol or mental health training program required by this section, unless that act  
8 or omission amounts to gross negligence, wanton conduct, or intentional wrongdoing. Nothing  
9 in this section shall be construed to impose any specific duty of care or standard of care on an  
10 public school unit."

11       **SECTION 2.(g)** The State Board of Education shall adopt a school-based model  
12 suicide risk referral protocol and model mental health training program in accordance with this  
13 act not later than December 1, 2020. The model suicide risk referral protocol and model mental  
14 health training program shall meet the requirements developed by the Superintendent's Working  
15 Group on Health and Well Being in its October 15, 2018, report pursuant to Section 5 of S.L.  
16 2018-32. Each public school unit required by Sections 2.(a), (b), (c), and (d) to adopt and  
17 implement a suicide referral protocol and mental health training program shall do so by July 1,  
18 2021. A public school unit may use the model suicide risk referral protocol and model mental  
19 health training program developed by the State Board of Education, modify the State Board of  
20 Education models, or develop their own models.

21       **SECTION 2.(h)** This section is effective when it becomes law.

### 22 23 **PART III. TEEN DATING VIOLENCE POLICY**

24       **SECTION 3.(a)** G.S. 115C-47 is amended by adding a new subdivision to read:

25       "(65) To Adopt a Policy Against Teen Dating Violence. – Each local board of  
26 education shall adopt and implement a dating violence and abuse policy. The  
27 policy shall do all of the following:

28       a. Define dating violence and abuse.

29       b. Prohibit dating violence and abuse by any student on school property,  
30 including during a school-sponsored activity or during  
31 school-sponsored transportation.

32       c. Provide procedures for responding to such incidents of dating violence  
33 or abuse, including accommodations for students experiencing dating  
34 violence or abuse.

35       d. Be implemented in a manner that is integrated with the discipline  
36 policies of the school."

37       **SECTION 3.(b)** G.S. 115C-81.30(a) is amended by adding a new subdivision to  
38 read:

39       "(14) Teach about dating violence and abuse, as defined in the local board policy  
40 adopted under G.S. 115C-47(65)."

41       **SECTION 3.(c)** G.S. 115C-218.75 is amended by adding a new subsection to read:

42       "(h) Policy Against Teen Dating Violence. – A charter school shall adopt and implement  
43 a dating violence and abuse policy. The policy shall do all of the following:

44       (1) Define dating violence and abuse.

45       (2) Prohibit dating violence and abuse by any student on school property,  
46 including during a school-sponsored activity or during school-sponsored  
47 transportation.

48       (3) Provide procedures for responding to such incidents of dating violence or  
49 abuse, including accommodations for students experiencing dating violence  
50 or abuse.

1           (4)    Be implemented in a manner that is integrated with the discipline policies of  
2           the school."

3           **SECTION 3.(d)** G.S. 115C-218.85(a) is amended by adding a new subdivision to

4 read:

5           "(6) The school shall teach about dating violence and abuse, as defined in the  
6           policy adopted under G.S. 115C-218.75(h). If the school has a reproductive  
7           health and safety education program, instruction on dating violence and abuse  
8           shall be incorporated into the program."

9           **SECTION 3.(e)** G.S. 115C-238.66 is amended by adding a new subdivision to read:

10          "(15) Policy against teen dating violence. – The board of directors shall adopt and  
11          implement a dating violence and abuse policy. The policy shall do all of the  
12          following:

13           a.    Define dating violence and abuse.

14           b.    Prohibit dating violence and abuse by any student on school property,  
15           including during a school-sponsored activity or during  
16           school-sponsored transportation.

17           c.    Provide procedures for responding to such incidents of dating violence  
18           or abuse, including accommodations for students experiencing dating  
19           violence or abuse.

20           d.    Be implemented in a manner that is integrated with the discipline  
21           policies of the school."

22          **SECTION 3.(f)** G.S. 115C-238.66(1) is amended by adding a new sub-subdivision

23 to read:

24           "f. The board of directors shall ensure that instruction on dating violence  
25           and abuse is provided, as defined in the policy adopted under  
26           G.S. 115C-238.66(15). If the school has a reproductive health and  
27           safety education program, instruction on dating violence and abuse  
28           shall be incorporated into the program."

29          **SECTION 3.(g)** G.S. 116-239.8(b) is amended by adding a new subdivision to read:

30          "(18) Policy against teen dating violence. – The chancellor shall adopt and ensure  
31          implementation of a dating violence and abuse policy. The policy shall do all  
32          of the following:

33           a.    Define dating violence and abuse.

34           b.    Prohibit dating violence and abuse by any student on school property,  
35           including during a school-sponsored activity or during  
36           school-sponsored transportation.

37           c.    Provide procedures for responding to such incidents of dating violence  
38           or abuse, including accommodations for students experiencing dating  
39           violence or abuse.

40           d.    Be implemented in a manner that is integrated with the discipline  
41           policies of the school."

42          **SECTION 3.(h)** G.S. 116-239.8(b)(2) is amended by adding a new sub-subdivision

43 to read:

44           "e. The board of directors shall ensure that instruction on dating violence  
45           and abuse is provided, as defined in the policy adopted under  
46           G.S. 115C-239.8(b)(18). If the school has a reproductive health and  
47           safety education program, instruction on dating violence and abuse  
48           shall be incorporated into the program."

49          **SECTION 3.(i)** This section is effective when it becomes law. Each public school  
50 unit required by Sections 3.(a), (c), (e), and (g) to adopt and implement a policy against teen  
51 dating violence shall do so by July 1, 2020. Each public school unit required by Sections 3.(b),

1 (d), (f), and (h) to provide instruction on dating violence and abuse shall do so beginning with  
2 the 2020-2021 school year.

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4 **PART IV. EFFECTIVE DATE**

5 **SECTION 4.** Except as otherwise provided, this act is effective when it becomes  
6 law.