



## Safe School Plan Legislation

Schools must be safe, secure, orderly, and caring. If students are to achieve academically, it is imperative that schools have a climate of trust, respect and caring, and be free of disruption, drugs, crime, violence, firearms and other weapons. All LEAs/schools must have plans, policies and procedures for maintaining order and for dealing fairly and equitably with disruptive behavior and incidents of crime and violence. Schools and school units must also have effective methods for assisting students who are at risk of academic failure or engaging in behaviors that disrupt the teaching and learning process or pose potential risk of harm to themselves or others.

### State Board of Education responsibilities (G.S. §115C-105.46)

In order to implement this Article, the State Board of Education:

- 1) **Shall** adopt guidelines for developing local plans under G.S. 115C-105.47.
- 2) **Shall** provide, in cooperation with the Board of Governors of the University of North Carolina, ongoing technical assistance to local school administrative units in the development, implementation, and evaluation of their local plans under G.S. 115C-105.27.
- 3) **May** require a local board of education to withhold the salary of any administrator or other employee of a local school administrative unit who delays or refuses to prepare the implement local safe school plans in accordance with G.S. 115C-105.47.
- 4) **May** revoke the certificate of the superintendent pursuant to G.S. 115C-274(c), for failure to fulfill the superintendent's duties under a local safe school plan.
- 5) **Shall** adopt policies that define who is an at-risk student (1997-443, s.8.29®(1); 1999-397, s. 2; 2000-140, s. 22)

### Local (LEA) safe school plans (G.S. §115C-105.47)

- (a) Each local board of education shall develop a local school administrative unit safe school plan designed to provide that every school in the local school administrative unit is safe, secure, and orderly, that there is a climate of respect in every school, and that appropriate personal conduct is a priority for all students and all public school personnel. The board shall include parents, the school community, representatives of the community, and others in the development or review of this plan. The plan may be developed by or in conjunction with other committees.
- (b) Each plan shall include each of the following components:
  - (1) Clear statements of the standard of behavior expected of students at different grade levels and of school personnel and clear statements of the consequences that will result from one or more violations of those standards. There shall be a statement of consequences for students under the age of 13 who physically assault and seriously injure a teacher or



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other individual on school property or at a school-sponsored or school-related activity. The consequences may include placement in an alternative setting.

- (2) A clear statement of the responsibility of the superintendent for coordinating the adoption and the implementation of the plan, evaluating principals' performance regarding school safety, monitoring and evaluating the implementation of safety plans at the school level, and coordinating with local law enforcement and court officials appropriate aspects of implementation of the plan. The statement of responsibility shall provide appropriate disciplinary consequences that may occur if the superintendent fails to carry out these responsibilities. These consequences may include a reprimand in the superintendent's personnel file or withholding of the superintendent's salary, or both.
- (3) A clear statement of the responsibility of the school principal for restoring, if necessary, and maintaining a safe, secure, and orderly school environment and of the consequences that may occur if the principal fails to meet that responsibility. The principal's duties shall include exhibiting appropriate leadership for school personnel and students, providing for alternative placements for students who are seriously disruptive, reporting all criminal acts under G.S. 115C-288(g), and providing appropriate disciplinary consequences for disruptive students. The consequences to the principal that may occur shall include a reprimand in the principal's personnel file and disciplinary proceedings under G.S. 115C-325.
- (4) Clear statements of the roles of other administrators, teachers, and other school personnel in restoring, if necessary, and maintaining a safe, secure, and orderly school environment.
- (5) Procedures for identifying and serving the needs of students who are at risk of academic failure or of engaging in disruptive or disorderly behavior.
- (6) Mechanisms for assessing the needs of disruptive and disorderly students and students who are at risk of academic failure, and providing them with services to assist them in achieving academically and in modifying their behavior, and removing them from the classroom when necessary.
- (7) Measurable objectives for improving school safety and order.
- (8) Measures of the effectiveness of efforts to assist students at risk of academic failure or of engaging in disorderly or disruptive behavior. The measures shall include an analysis of the effectiveness of procedures adopted under G.S. 115C-105.48 for students referred to alternative schools and alternative learning programs.
- (9) Professional development clearly matched to the goals and objectives of the plan. This professional development shall include a component to train appropriate school personnel in the management of disruptive or dangerous student behavior. Appropriate school personnel may include, but is not limited to, teachers, teacher assistants, school administrators, bus drivers, school resource officers, school psychologists, and school



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counselors. The training shall include instruction in positive management of student behavior, effective communication for defusing and deescalating disruptive or dangerous behavior, and safe and appropriate use of seclusion and restraint. The appropriate personnel with priority for the training shall include those staff members who are most likely to be called upon to prevent or address disruptive or dangerous student behavior. Each local board of education shall include in this component of its safe school plan procedures to evaluate the effectiveness of this training in preventing or addressing disruptive or dangerous student behavior. Local boards of education are encouraged to use available sources of discretionary revenue to implement the plan to train personnel in the management of disruptive or dangerous student behavior. Local boards may only be required to implement the behavior management training component of the plan to the extent that funds have been appropriated for this purpose by the General Assembly or by local units of government. By January 1, 2006, local boards of education shall amend their safe school plans to include this training component.

- (10) A plan to work effectively with local law enforcement officials and court officials to ensure that schools are safe and laws are enforced.
- (11) A plan to provide access to information to the school community, parents, and representatives of the local community on the ongoing implementation of the local plan, monitoring of the local plan, and the integration of educational and other services for students into the total school program.
- (12) The name and role description of the person responsible for implementation of the plan.
- (13) Direction to school improvement teams within the local school administrative unit to consider the special conditions at their schools and to incorporate into their school improvement plans the appropriate components of the local plan for:
  - a. maintaining safe and orderly schools; and
  - b. addressing the needs of students who are at risk of academic failure or who are disruptive or both.
- (13a) A clear statement of the services that will be provided to students who are assigned to an alternative school or an alternative learning program.
- (14) A clear and detailed statement of the planned use of federal, State, and local funds allocated for at-risk students and alternative schools and alternative learning programs.
- (15) Any other information the local board considers necessary or appropriate to implement this Article.

A local board may develop its plan under this section by conducting a comprehensive review of its existing policies, plans, statements, and procedures to determine whether they: (i) are effective; (ii) have been updated to address recent changes in the law; (iii) meet the current needs of each school in the local school administrative unit; and (iv)



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address the components required to be included in the local plan. The board then may consolidate and supplement any previously developed policies, plans, statements, and procedures that the board determines are effective and updated, meet the current needs of each school, and meet the requirements of this subsection.

Once developed, the board shall submit the local plan to the State Board of Education and shall ensure the plan is available and accessible to parents and the school community. The board shall provide annually to the State Board information that demonstrates how the At-Risk Student Services/Alternative Schools Funding allotment has been used to (i) prevent academic failure and (ii) promote school safety.

(c) A local board may amend the plan as often as it considers necessary or appropriate. (1997-443, s. 8.29(r)(1); 1999-397, s. 2; 2005-205, s. 4.)

### **§ 115C-105.48. Placement of students in alternative schools/alternative learning programs.**

(a) Prior to referring a student to an alternative school or an alternative learning program, the referring school shall:

- (1) Document the procedures that were used to identify the student as being at risk of academic failure or as being disruptive or disorderly.
- (2) Provide the reasons for referring the student to an alternative school or an alternative learning program.
- (3) Provide to the alternative school or alternative learning program all relevant student records, including anecdotal information.

(b) When a student is placed in an alternative school or an alternative learning program, the appropriate staff of the alternative school or alternative learning program shall meet to review the records forwarded by the referring school and to determine what support services and intervention strategies are recommended for the student. The parents shall be encouraged to provide input regarding the students' needs. (1999-397, s. 2.)