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# SAFE SCHOOLS

Legislation  
1993

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ACQUISITIONS

Special Session  
Summary  
1994

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GENERAL ASSEMBLY OF NORTH CAROLINA  
1993 SESSION  
RATIFIED BILL

CHAPTER 509  
SENATE BILL 989

AN ACT TO REQUIRE EMPLOYERS TO GRANT LEAVE AT A MUTUALLY AGREED UPON TIME TO EMPLOYEES FOR INVOLVEMENT AT THEIR CHILDREN'S SCHOOLS, TO ENCOURAGE SCHOOLS TO IMPLEMENT PARENT INVOLVEMENT AND CONFLICT RESOLUTION PROGRAMS, AND TO DIRECT LOCAL BOARDS OF EDUCATION TO REEVALUATE THEIR SCHOOL SAFETY POLICIES IN LIGHT OF 1993 LEGISLATION.

The General Assembly of North Carolina enacts:

Section 1. Article 3 of Chapter 95 of the General Statutes is amended by adding a new section to read:

"§ 95-28.3. Leave for parent involvement in schools.

(a) It is the belief of the General Assembly that parent involvement is an essential component of school success and positive student outcomes. Therefore, employers shall grant four hours per year leave to any employee who is a parent, guardian, or person standing in loco parentis of a school-aged child so that the employee may attend or otherwise be involved at that child's school. However, any leave under this section is subject to the following conditions:

- (1) The leave shall be at a mutually agreed upon time between the employer and the employee.
- (2) The employer may require an employee to provide the employer with a written request for the leave at least 48 hours before the time desired for the leave.
- (3) The employer may require that the employee furnish written verification from the child's school that the employee attended or was otherwise involved at that school during the time of the leave.

For the purpose of this section, 'school' means any (i) public school, (ii) private church school, church of religious charter, or nonpublic school described in Parts 1 and 2 of Article 39 of Chapter 115C of the General Statutes that regularly provides a course of grade school instruction, (iii) preschool, and (iv) child day care facility as defined in G.S. 110-86(3).

(b) Employers shall not discharge, demote, or otherwise take an adverse employment action against an employee who requests or takes leave under this section. Nothing in this section shall require an employer to pay an employee for leave taken under this section.

(c) An employee who is demoted or discharged or who has had an adverse employment action taken against him or her in violation of this section may bring a civil action within one year from the date of the alleged violation against the employer who violates this section and obtain either of the following:

- (1) Any wages or benefits lost as a result of the violation; or

(2) An order of reinstatement without loss of position, seniority, wages, or benefits.

The burden of proof shall be upon the employee."

Sec. 2. Beginning with the 1994-95 school year, a school is encouraged to include a comprehensive parent involvement program as part of its building-level plan under G.S. 115C-238.3. The State Board of Education shall develop a list of recommended strategies that it determines to be effective, which building level committees may use to establish parent involvement programs designed to meet the specific needs of their schools. The Board shall make the list available to local school administrative units and school buildings by the beginning of the 1994-95 school year.

Sec. 3. Beginning with the 1994-95 school year, a school is encouraged to review its need for a comprehensive conflict resolution program as part of the development of its building-level plan under G.S. 115C-238.3. If a school determines that this program is needed, it may select from the list developed by the State Board of Education under G.S. 115C-81(a4) or may develop its own materials and curricula to be approved by the local board of education.

Sec. 4. Local boards of education shall, no later than December 1, 1993, reevaluate and update their policies related to school safety so they reflect changes authorized by the 1993 General Assembly. In particular, boards shall ensure they have clear policies governing the conduct of students, which state the consequences of violent or assaultive behavior, possessions of weapons, and criminal acts committed on school property or at school-sponsored functions. The State Board shall develop guidelines to assist local boards in this process.

Sec. 5. Section 1 of this act becomes effective December 1, 1993, and applies to acts committed on or after that date. The remaining sections of this act are effective upon ratification.

In the General Assembly read three times and ratified this the 24th day of July, 1993.

**DENNIS A. WICKER**

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Dennis A. Wicker  
President of the Senate

**DANIEL BLUE, JR**

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Daniel Blue, Jr.  
Speaker of the House of Representatives

GENERAL ASSEMBLY OF NORTH CAROLINA  
1993 SESSION  
RATIFIED BILL

CHAPTER 462  
SENATE BILL 892

AN ACT TO REQUIRE THAT A DELINQUENT JUVENILE ON PROBATION  
AND REQUIRED TO ATTEND SCHOOL AS A CONDITION OF  
PROBATION BE REQUIRED TO MAINTAIN A PASSING GRADE IN FOUR  
COURSES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-649(8) reads as rewritten:

"(8) Place the juvenile on probation under the supervision of a court counselor. In any case where a juvenile is placed on probation, the court counselor shall have the authority to visit the juvenile where he resides. The judge shall specify conditions of probation that are related to the needs of the juvenile including any of the following which apply: following:

- a. That the juvenile shall remain on good behavior and not violate any laws;
- b. That the juvenile attend school regularly;
- b1. That the juvenile maintain passing grades in up to four courses during each grading period and meet with the court counselor and a representative of the school to make a plan for how to maintain those passing grades;
- c. That the juvenile not associate with specified persons or be in specified places;
- d. That the juvenile report to a court counselor as often as required by a court counselor;
- e. That the juvenile make specified financial restitution or pay a fine in accordance with subdivisions (2) and (3);
- f. That the juvenile be employed regularly if not attending school.

An order of probation shall remain in force for a period not to exceed one year from the date entered. Prior to expiration of an order of probation, the judge may extend it for an additional period of one year after a hearing if he finds that the extension is necessary to protect the community or to safeguard the welfare of the juvenile;".

Sec. 2. This act becomes effective October 1, 1993, and applies to orders of probation for adjudications of delinquency for acts committed on or after that date. In the General Assembly read three times and ratified this the 23rd day of July, 1993.

DENNIS A. WICKER  
Dennis A. Wicker  
President of the Senate

DANIEL BLUE, JR.  
Daniel Blue, Jr.  
Speaker of the House of Representatives

GENERAL ASSEMBLY OF NORTH CAROLINA  
1993 SESSION  
RATIFIED BILL

CHAPTER 259  
SENATE BILL 793

AN ACT TO MAKE IT A MISDEMEANOR FOR A PERSON UNDER EIGHTEEN YEARS OF AGE TO POSSESS OR CARRY A HANDGUN AND TO MAKE IT A MISDEMEANOR TO SELL OR TRANSFER ANY HANDGUN TO A PERSON WHO IS UNDER EIGHTEEN YEARS OF AGE.

The General Assembly of North Carolina enacts:

Section 1. Article 35 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-269.7. Prohibitions on handguns for minors.

(a) Any minor who possesses or carries a handgun is guilty of a misdemeanor punishable by imprisonment for up to six months, a fine of up to five hundred dollars (\$500.00), or both.

(b) This section does not apply:

- (1) To officers and enlisted personnel of the armed forces of the United States when in discharge of their official duties or acting under orders requiring them to carry handguns.
- (2) To a minor who possesses a handgun for educational or recreational purposes while the minor is supervised by an adult who is present.
- (3) To an emancipated minor who possesses such handgun inside his or her residence.
- (4) To a minor who possesses a handgun while hunting or trapping outside the limits of an incorporated municipality if he has on his person written permission from a parent, guardian, or other person standing in loco parentis.

(c) The following definitions apply in this section:

- (1) Handgun. -- Any dangerous firearm including a pistol or revolver designed to be fired by the use of a single hand.
- (2) Minor. -- Any person under the age of 18 years of age."

Sec. 2. G.S. 14-269.1 reads as rewritten:

"§ 14-269.1. Confiscation and disposition of deadly weapons.

Upon conviction of any person for violation of G.S. ~~14-269~~ 14-269, G.S. 14-269.7, or any other offense involving the use of a deadly weapon of a type referred to in G.S. 14-269, the deadly weapon with reference to which the defendant shall have been convicted shall be ordered confiscated and disposed of by the presiding judge at the trial in one of the following ways in the discretion of the presiding judge.

- (1) By ordering the weapon returned to its rightful owner, but only when such owner is a person other than the defendant and has filed a petition for the recovery of such weapon with the presiding judge at the time of the defendant's conviction, and upon a finding

by the presiding judge that petitioner is entitled to possession of same and that he was unlawfully deprived of the same without his consent.

- (2) By ordering the weapon turned over to a law-enforcement agency in the county of trial for the official use of such agency, but only upon the written request by the head or chief of such agency. The clerk of the superior court of such county shall maintain a record of such weapons and the law-enforcement agency receiving them.
- (3) By ordering the weapon turned over to the sheriff of the county in which the trial is held to be sold as herein provided. Under the direction of the sheriff, the weapon shall be sold at public auction after one advertisement in a newspaper having general circulation in the county which advertisement shall be at least seven days prior to sale. The proceeds of such sale shall go to the general fund of the county in which such weapons are sold. The sheriff shall maintain a record and inventory of all such weapons received and sold by him. Sales of such weapons by the sheriff shall be held at least once each year.
- (4) By ordering such weapon turned over to the sheriff of the county in which the trial is held or his duly authorized agent to be destroyed. The sheriff shall maintain a record of the destruction thereof.
- (5) By ordering such weapon turned over to the North Carolina State Bureau of Investigation's Crime Laboratory Weapons Reference Library for official use by that agency. The State Bureau of Investigation shall maintain a record and inventory of all such weapons received.
- (6) By ordering such weapons turned over to the North Carolina Justice Academy for official use by that agency. The North Carolina Justice Academy shall maintain a record and inventory of all such weapons received."

Sec. 3. G.S. 14-315 reads as rewritten:

**"§ 14-315. Selling or giving weapons to minors.**

(a) Offense. -- If any person shall knowingly sell, offer for sale, give or in any way dispose of to a minor any handgun as defined in G.S. 14-269.7, pistol, pistol or pistol cartridge, brass knucks, bowie knife, dirk, shurikin, loaded cane or slingshot, he shall be guilty of a misdemeanor and shall forfeit the proceeds of any sale made in violation of this section.

(b) Defense. -- It shall be a defense to a violation of subsection (a) of this section if the person:

- (1) Shows that the minor produced a drivers license, a special identification card issued under G.S. 20-37.7, a military identification card, or a passport, showing his age to be at least the required age for purchase and bearing a physical description of the person named on the card reasonably describing the minor; or
- (2) Produces evidence of other facts that reasonably indicated at the time of sale that the minor was at least the required age."

Sec. 4. This act becomes effective September 1, 1993, and applies to offenses committed on or after that date.

In the General Assembly read three times and ratified this the 1st day of July, 1993.

DENNIS A. WICKER

Dennis A. Wicker  
President of the Senate

DANIEL BLUE, JR.

Daniel Blue, Jr.  
Speaker of the House of Representatives



GENERAL ASSEMBLY OF NORTH CAROLINA  
1993 SESSION  
RATIFIED BILL

CHAPTER 369  
HOUSE BILL 1092

AN ACT TO REQUIRE JUVENILE COURT COUNSELORS TO NOTIFY SCHOOL OFFICIALS IN CERTAIN CASES WHEN A JUVENILE IS ADJUDICATED DELINQUENT AND IS ORDERED TO ATTEND SCHOOL AS A CONDITION OF PROBATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-649(8) reads as rewritten:

- "(8) Place the juvenile on probation under the supervision of a court counselor. In any case where a juvenile is placed on probation, the court counselor shall have the authority to visit the juvenile where ~~he~~ the juvenile resides. The judge shall specify conditions of probation that are related to the needs of the juvenile including any of the following which apply:
- a. That the juvenile shall remain on good behavior and not violate any ~~laws;~~ laws.
  - b. That the juvenile attend school ~~regularly;~~ regularly. If the adjudication of delinquency was for an offense involving a threat to the safety of the juvenile or others and school attendance is a condition of probation, the judge shall make a finding of whether or not the principal of the juvenile's school should be notified. If the judge orders that the principal be notified, the juvenile court counselor shall within five days or before the juvenile begins to attend school, whichever occurs first, notify the principal of the juvenile's school in writing of the nature of the offense and the probation requirements related to school attendance. A principal notified by a juvenile court counselor shall handle the report according to the guidelines and rules adopted by the State Board of Education.
  - c. That the juvenile not associate with specified persons or be in specified ~~places;~~ places.
  - d. That the juvenile report to a court counselor as often as required by a court ~~counselor;~~ counselor.
  - e. That the juvenile make specified financial restitution or pay a fine in accordance with subdivisions (2) and ~~(3);~~ (3).
  - f. That the juvenile be employed regularly if not attending school.

An order of probation shall remain in force for a period not to exceed one year from the date entered. Prior to expiration of an order of probation, the judge may extend it for an additional

period of one year after a hearing if ~~he~~ the judge finds that the extension is necessary to protect the community or to safeguard the welfare of the juvenile;"

Sec. 2. The Administrative Office of the Courts shall report to the Joint Legislative Education Oversight Committee on the number of juveniles reported to principals in accordance with this act no later than January 1, 1995.

Sec. 3. This act becomes effective October 1, 1993, and applies to delinquent acts committed on or after that date. This act expires October 1, 1995.

In the General Assembly read three times and ratified this the 17th day of July, 1993.

DENNIS A. WICKER

Dennis A. Wicker  
President of the Senate

DANIEL BLUE JR

Daniel Blue, Jr.  
Speaker of the House of Representatives

GENERAL ASSEMBLY OF NORTH CAROLINA  
1993 SESSION  
RATIFIED BILL

CHAPTER 327  
HOUSE BILL 1009

AN ACT TO REQUIRE SCHOOL PRINCIPALS TO REPORT CERTAIN ACTS  
OCCURRING ON SCHOOL PROPERTY TO LAW ENFORCEMENT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-288 is amended by adding a new subsection to read:

"(g) To Report Certain Acts to Law Enforcement. -- When the principal has a reasonable belief that an act has occurred on school property involving assault resulting in serious personal injury, sexual assault, sexual offense, rape, kidnapping, indecent liberties with a minor, assault involving the use of a weapon, possession of a firearm in violation of the law, possession of a weapon in violation of the law, or possession of a controlled substance in violation of the law, the principal shall immediately report the act to the appropriate local law enforcement agency. For purposes of this subsection, 'school property' shall include any public school building, bus, public school campus, grounds, recreational area, or athletic field, in the charge of the principal."

Sec. 2. This act becomes effective December 1, 1993, and applies to acts committed on or after that date.

In the General Assembly read three times and ratified this the 9th day of July, 1993.

DENNIS A. WICKER

Dennis A. Wicker  
President of the Senate

DANIEL BLUE, JR.

Daniel Blue, Jr.  
Speaker of the House of Representatives

GENERAL ASSEMBLY OF NORTH CAROLINA  
1993 SESSION  
RATIFIED BILL

CHAPTER 558  
HOUSE BILL 1008

AN ACT TO MAKE IT A CLASS I FELONY TO POSSESS OR CARRY A FIREARM OR EXPLOSIVE ON EDUCATIONAL PROPERTY OR TO CAUSE, ENCOURAGE, OR AID A MINOR TO POSSESS OR CARRY A FIREARM OR EXPLOSIVE ON EDUCATIONAL PROPERTY, TO MAKE IT A MISDEMEANOR TO CAUSE, ENCOURAGE, OR AID A MINOR TO TAKE OR POSSESS OTHER TYPES OF WEAPONS ON EDUCATIONAL PROPERTY, TO MAKE IT A MISDEMEANOR TO FAIL TO STORE FIREARMS IN A REASONABLE MANNER FOR THE PROTECTION OF MINORS AND TO FAIL TO WARN A PERSON OF THIS LAW UPON THE SALE OR TRANSFER OF A FIREARM.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-269.2 reads as rewritten:

"§ 14-269.2. Weapons on campus or other educational property.

~~It shall be unlawful for any person to possess, or carry, whether openly or concealed, any gun, rifle, pistol, dynamite cartridge, bomb, grenade, mine, powerful explosive as defined in G.S. 14-284.1, bowie knife, dirk, dagger, slungshot, leaded cane, switch blade knife, blackjack, metallic knuckles or any other weapon of like kind, not used solely for instructional or school sanctioned ceremonial purposes, in any public or private school building or bus, on any public or private school campus, grounds, recreation area, athletic field, or other property owned, used or operated by any board of education, school, college, or university board of trustees or directors for the administration of any public or private educational institution. For the purpose of this section a self opening or switch blade knife is defined as a knife containing a blade or blades which open automatically by the release of a spring or a similar contrivance, and the above phrase 'weapon of like kind' includes razors and razor blades (except solely for personal shaving) and any sharp pointed or edged instrument except unaltered nail files and clips and tools used solely for preparation of food, instruction and maintenance. This section shall not apply to the following persons: Officers and enlisted personnel of the armed forces of the United States when in discharge of their official duties as such and acting under orders requiring them to carry arms or weapons, civil officers of the United States while in the discharge of their official duties, officers and soldiers of the militia and the national guard when called into actual service, officers of the State, or of any county, city, or town, charged with the execution of the laws of the State, when acting in the discharge of their official duties, any pupils who are members of the Reserve Officer Training Corps and who are required to carry arms or weapons in the discharge of their official class duties, and any private police employed by the administration or board of trustees of any public or private institution of higher education when acting in the discharge of their duties.~~

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~~Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be punished in the discretion of the court.~~

(a) The following definitions apply to this section:

- (1) Educational property. -- Any public or private school building or bus, public or private school campus, grounds, recreational area, athletic field, or other property owned, used, or operated by any board of education, school, college, or university board of trustees, or directors for the administration of any public or private educational institution.
- (2) Student. -- A person enrolled in a public or private school, college or university, or a person who has been suspended or expelled within the last five years from a public or private school, college or university, whether the person is an adult or a minor.
- (3) Switchblade knife. -- A knife containing a blade or blades which open automatically by the release of a spring or a similar contrivance.
- (4) Weapon. -- Any device enumerated in subsection (b) or (d) of this section.

(b) It shall be a Class I felony for any person to possess or carry, whether openly or concealed, any gun, rifle, pistol, or other firearm of any kind, or any dynamite cartridge, bomb, grenade, mine, or powerful explosive as defined in G.S. 14-284.1, on educational property. However, this subsection does not apply to a BB gun, air rifle, or air pistol.

(c) It shall be a Class I felony for any person to cause, encourage, or aid a minor who is less than 18 years old to possess or carry, whether openly or concealed, any gun, rifle, pistol, or other firearm of any kind, or any dynamite cartridge, bomb, grenade, mine, or powerful explosive as defined in G.S. 14-284.1, on educational property. However, this subsection does not apply to a BB gun, air rifle, or air pistol.

(d) It shall be a misdemeanor for any person to possess or carry, whether openly or concealed, any BB gun, air rifle, air pistol, bowie knife, dirk, dagger, slungshot, leaded cane, switchblade knife, blackjack, metallic knuckles, razors and razor blades (except solely for personal shaving), and any sharp-pointed or edged instrument except instructional supplies, unaltered nail files and clips and tools used solely for preparation of food, instruction, and maintenance, on educational property.

(e) It shall be a misdemeanor for any person to cause, encourage, or aid a minor who is less than 18 years old to possess or carry, whether openly or concealed, any BB gun, air rifle, air pistol, bowie knife, dirk, dagger, slungshot, leaded cane, switchblade knife, blackjack, metallic knuckles, razors and razor blades (except solely for personal shaving), and any sharp-pointed or edged instrument except instructional supplies, unaltered nail files and clips and tools used solely for preparation of food, instruction, and maintenance, on educational property.

(f) Notwithstanding subsection (b) of this section it shall be a misdemeanor rather than a Class I felony for any person to possess or carry, whether openly or concealed, any gun, rifle, pistol, or other firearm of any kind, on educational property if:

- (1) The person is not a student attending school on the educational property;
- (2) The firearm is not concealed within the meaning of G.S. 14-269;
- (3) The firearm is not loaded and is in a locked container, a locked vehicle, or a locked firearm rack which is on a motor vehicle; and
- (4) The person does not brandish, exhibit, or display the firearm in any careless, angry, or threatening manner.

(g) This section shall not apply to:

- (1) A weapon used solely for educational or school-san-  
ceremonial purposes, or used in a school-approved pr  
conducted under the supervision of an adult whose supervisio  
been approved by the school authority;
- (2) Armed forces personnel, officers and soldiers of the militia an  
national guard, law enforcement personnel, and any private police  
employed by an educational institution, when acting in the  
discharge of their official duties; or
- (3) Home schools as defined in G.S. 115C-563(a)."

Sec. 2. Chapter 14 of the General Statutes is amended by adding the following new sections:

"§ 14-315.1. Storage of firearms to protect minors.

(a) Any person who resides in the same premises as a minor, owns or possesses a  
firearm, and stores or leaves the firearm (i) in a condition that the firearm can be  
discharged and (ii) in a manner that the person knew or should have known that an  
unsupervised minor would be able to gain access to the firearm, is guilty of a  
misdemeanor if a minor gains access to the firearm without the lawful permission of  
the minor's parents or a person having charge of the minor and the minor:

- (1) Possesses it in violation of G.S. 14-269.2(b);
- (2) Exhibits it in a public place in a careless, angry, or threatening  
manner;
- (3) Causes personal injury or death with it not in self defense; or
- (4) Uses it in the commission of a crime.

(b) Nothing in this section shall prohibit a person from carrying a firearm on his  
or her body, or placed in such close proximity that it can be used as easily and  
quickly as if carried on the body.

(c) This section shall not apply if the minor obtained the firearm as a result of an  
unlawful entry by any person.

(d) 'Minor' as used in this section means a person under 18 years of age who is  
not emancipated.

"§ 14-315.2. Warning upon sale or transfer of firearm to protect minor.

(a) Upon the retail commercial sale or transfer of any firearm, the seller or  
transferor shall deliver a written copy of G.S. 14-315.1 to the purchaser or transferee.

(b) Any retail or wholesale store, shop, or sales outlet that sells firearms shall  
conspicuously post at each purchase counter the following warning in block letters  
not less than one inch in height the phrase: 'IT IS UNLAWFUL TO STORE OR  
LEAVE A FIREARM THAT CAN BE DISCHARGED IN A MANNER THAT A  
REASONABLE PERSON SHOULD KNOW IS ACCESSIBLE TO A MINOR.'

(c) A violation of subsection (a) or (b) of this section is a misdemeanor."

Sec. 3. This act becomes effective December 1, 1993, and applies to all offenses or acts of delinquency committed on or after that date.  
In the General Assembly read three times and ratified this the 24th day of July, 1993.

MARC BASNIGHT

Marc Basnight  
President Pro Tempore of the Senate

DANIEL BLUE, JR.

Daniel Blue, Jr.  
Speaker of the House of Representatives

- (3) "Sales assessment ratio studies" means sales assessment ratio studies performed by the Department of Revenue under G.S. 105-289(h).
- (4) "State adjusted property tax base per student" means the sum of all county adjusted property tax bases divided by the total number of students in average daily membership who reside within the State.
- (5) "Weighted average of the three most recent annual sales assessment ratio studies" means the weighted average of the three most recent annual sales assessment ratio studies in the most recent years for which county current expense appropriations and adjusted property tax valuations are available. If real property in a county has been revalued one year prior to the most recent sales assessment ratio study, a weighted average of the two most recent sales assessment ratios shall be used. If property has been revalued the year of the most recent sales assessment ratio study, the sales assessment ratio for the year of revaluation shall be used.

(d) **Reports.** -- Counties that receive funds under this section shall report to the State Board of Education before March 1 each year on how they are using the funds for the fiscal year. The State Board of Education shall report to the Joint Legislative Education Oversight Committee prior to May 1, 1994, and May 1, 1995, on how the funds are being used.

Requested by: Representatives Diamont, Colton, Black, Rogers, Barnes, Kuczmarski, Senators Ward, Perdue

#### SAFE SCHOOLS

Sec. 139. (a) Of the funds appropriated to Aid to Local School Administrative Units, the sum of two million five hundred thousand dollars (\$2,500,000) for the 1993-94 fiscal year and the sum of two million five hundred thousand dollars (\$2,500,000) for the 1994-95 fiscal year shall be used to provide grants for local school administrative units for locally designed innovative local programs to make schools safe for students and school employees. These funds shall be used for grants of from fifty thousand dollars (\$50,000) to one hundred thousand dollars (\$100,000) per year to local school administrative units. These funds may be used for continuing or noncontinuing expenses.

A local school administrative unit may apply for a grant, or two or three adjacent local school administrative units may apply jointly for a grant. Applicants for grants shall submit to the State Board of Education an application that includes the following information:

- (1) An assessment of local problems with regard to violence and harassment, including sexual and other forms of harassment, in the schools prepared by a local task force of educators, parents, students, community leaders, and representatives of social services and law enforcement, appointed by the local board of education.
- (2) A detailed plan for addressing these local problems, including proposed goals and anticipated outcomes, prepared after consultation with the task force.
- (3) A statement of how the grant funds would be used to address these local problems and what other resources would be used to address the problems.
- (4) A process for assessing on an annual basis the success of the local plan for addressing problems with regard to violence and harassment in the schools.



The Superintendent of Public Instruction shall appoint a State task force to assist the Superintendent in reviewing grant applications. The State task force shall include representatives of the Department of Public Instruction, local school administrative units, educators, parents, the juvenile justice system, social services, and nongovernmental agencies providing services to children, and other members the Superintendent deems appropriate. In reviewing grant applications, the Superintendent and the State task force shall consider the severity of the local problems with regard to violence in the schools and the likelihood that the locally designed plan will deal with the problems successfully.

The State Board of Education shall consider the recommendations of the Superintendent in selecting grant recipients. The State Board shall also attempt to give grants to local school administrative units that are located geographically throughout the State, that have different demographic profiles, and that propose different approaches to their problems. The State Board shall select grant recipients prior to January 1, 1994.

The Superintendent of Public Instruction shall administer the grant program and provide technical assistance to grant applicants and recipients.

The State Board of Education shall report to the Joint Legislative Education Oversight Committee prior to March 15, 1994, and prior to January 15, 1995, on how the funds are being used.

(b) G.S. 115C-12 is amended by adding a new subdivision to read:

"(21) Duty to Monitor Acts of School Violence. -- The State Board of Education shall monitor and compile an annual report on acts of violence in the public schools. The State Board shall adopt standard definitions for acts of school violence and shall require local boards of education to report them to the State Board in a standard format adopted by the State Board."

(c) G.S. 115C-47 is amended by adding a new subdivision to read:

"(36) To Report All Acts of School Violence. -- Local boards of education shall report all acts of school violence to the State Board of Education in accordance with G.S. 115C-12(21)."

(d) G.S. 115C-81 is amended by adding a new subsection to read:

"(a4) Conflict Resolution and Mediation Models: The State Board of Education shall develop a list of recommended conflict resolution and mediation materials, models, and curricula that address responsible decision making, the causes and effects of school violence and harassment, cultural diversity, and nonviolent methods for resolving conflict, including peer mediation and shall make the list available to local school administrative units and school buildings by the beginning of the 1994-95 school year. In developing this list, the Board shall emphasize materials, models, and curricula that currently are being used in North Carolina and that the Board determines to be effective. The Board shall include at least one model that includes instruction and guidance for the voluntary implementation of peer mediation programs and one model that provides instruction and guidance for teachers concerning the integration of conflict resolution and mediation lessons into the existing classroom curriculum."

Requested by: Representatives Kuczmarski, Jack Hunt, Black, Rogers, Barnes, Senators Ward, Perdue

#### **PARENTS AS TEACHERS PILOT PROGRAMS**

Sec. 140. The State Board of Education shall use funds appropriated for the Parents as Teachers Pilot Programs to implement pilot programs in the Rutherford County School Administrative Unit and the Wake County School Administrative Unit, which have been designated as national training sites for the

## GOVERNOR JIM HUNT'S CRIME FIGHTING PLAN Special Session Summary

### I. KEEP DANGEROUS CRIMINALS BEHIND BARS LONGER

#### 1. Longer Sentences For Violent Criminals

- Abolish parole for first-degree murderers passed  
(amended to give prisoners right, after 25 years, to petition Superior Court judge for recommendation for commutation from Governor. Under current law, any prisoner can now request commutation from Governor any time)
- Toughen sentences for first-degree rapists passed  
(almost doubles sentences for first-time rapists: requires life without parole for brutal rapists on second offense)
- Eliminate good time and community service parole passed
- "Three strikes & you're out" passed
- Strengthen habitual offender statute passed
- Make cocaine possession a felony passed

#### 2. Toughen Gun Laws

- No guns for felons did not pass
- Add 5 years to sentences when guns are used in a felony passed
- Destroy confiscated weapons passed

#### 3. Increase Prison Capacity

- Build 1,000 new beds passed
- Lease 500 county jail beds passed
- Ship 1,000 prisoners out-of-state passed
- Add almost 800 beds for drug-and alcohol offenders passed
- Use existing space more efficiently to add 500 beds passed

#### 4. Raise the Prison Cap by 2,100

passed

### II. DEVELOP A NEW APPROACH TO JUVENILE CRIME

#### 1. Deter Children From Becoming Criminals

- \$5 million to launch SOS after-school program for students passed
- \$2 million to start Family Resource Centers passed
- Build 2 wilderness camps to help youngsters turn their lives around passed
- Build new boot camp for first-time, non-violent youthful offenders passed
- Expand mentor training program for coaches passed
- Evaluate state training schools & Community-Based Alternatives program passed

## 2. Toughen Tougher Punishment For Young Criminals

- Build 1 new detention center with 24 beds
- Add 147 training school beds
- Try violent early teens as adults
  - \*provision to give judges discretion to try certain 13-year olds as adults
  - \*provision to automatically bind over violent 14 and 15-year olds
- No release from training schools before 18 for violent juveniles

in reserve  
passed

passed  
study commission  
study commission

## III. MAKE THE CRIMINAL JUSTICE SYSTEM WORK BETTER

### 1. Put Victims First

- Add 3.8 million to Victims Compensation Fund
- Add \$150,000 to Victims Assistance Network
- Prevent criminals from using victims fund

passed  
passed  
passed

### 2. Speed Up the Process & Eliminate Loopholes

- Set up statewide criminal justice information system
- Make criminal evidence from seat-belt checks admissible

passed  
passed

### 3. Deal More Effectively With Drug & Alcohol Offenders

- Permanently fund Mecklenburg County's drug court
- Establish drug treatment programs for first-time offenders
- Lease 500 substance abuse facility beds
- Triple the funding for DART program for drug and alcohol habitual offenders

did not pass  
passed  
passed  
passed