

GENERAL ASSEMBLY OF NORTH CAROLINA
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30118-TC-21A

Short Title: Prevent Students From Harm Act.

(Public)

Sponsors: Representative Elmore.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO INCORPORATE CHARACTER EDUCATION IN ADDRESSING BULLYING
3 AND HARASSING BEHAVIOR, TO AUTHORIZE EXPERIENCED NONPROFITS TO
4 PROVIDE CHILD SEXUAL ABUSE AND SEX TRAFFICKING TRAINING
5 PROGRAMS FOR EDUCATORS, AND TO PROVIDE AGE-APPROPRIATE
6 INFORMATION AND RESOURCES ON PREVENTION OF SUICIDE, ABUSE, AND
7 NEGLECT AS PART OF THE HEALTH EDUCATION CURRICULUM.

8 The General Assembly of North Carolina enacts:

9
10 **PART I. INCORPORATION OF CHARACTER EDUCATION IN ADDRESSING**
11 **BULLYING AND HARASSING BEHAVIOR**

12 SECTION 1.(a) G.S. 115C-81.60 reads as rewritten:

13 "§ 115C-81.60. Character education.

14 (a) Each local board of education shall develop and implement high-quality character
15 education instruction with input from the local community. The instruction shall be incorporated
16 into the standard curriculum at all grade levels and should address the following traits:

- 17 (1) Courage. – Having the determination to do the right thing even when others
18 don't and the strength to follow your conscience rather than the crowd; and
19 attempting difficult things that are worthwhile.
- 20 (2) Good judgment. – Choosing worthy goals and setting proper priorities;
21 thinking through the consequences of your actions; and basing decisions on
22 practical wisdom and good sense.
- 23 (3) Integrity. – Having the inner strength to be truthful, trustworthy, and honest
24 in all things; acting justly and honorably.
- 25 (4) Kindness. – Being considerate, courteous, helpful, and understanding of
26 others; showing care, compassion, friendship, and generosity; and treating
27 others as you would like to be treated.
- 28 (5) Perseverance. – Being persistent in the pursuit of worthy objectives in spite of
29 difficulty, opposition, or discouragement; and exhibiting patience and having
30 the fortitude to try again when confronted with delays, mistakes, or failures.
- 31 (6) Respect. – Showing high regard for authority, for other people, for self, for
32 property, and for country; and understanding that all people have value as
33 human beings.
- 34 (7) Responsibility. – Being dependable in carrying out obligations and duties;
35 showing reliability and consistency in words and conduct; being accountable



- 1 for your own actions; and being committed to active involvement in your
 2 community.
- 3 (8) Self-discipline. – Demonstrating hard work and commitment to purpose;
 4 regulating yourself for improvement and restraining from inappropriate
 5 behaviors; being in proper control of your words, actions, impulses, and
 6 desires; choosing abstinence from premarital sex, drugs, alcohol, and other
 7 harmful substances and behaviors; and doing your best in all situations.
- 8 (b) In addition to the instruction under subsection (a) of this section, local boards of
 9 education ~~are encouraged to~~ shall include instruction on the following responsibilities:
- 10 (1) Respect for school personnel. – In the school environment, respect includes
 11 holding teachers, school administrators, and all school personnel in high
 12 esteem and demonstrating in words and deeds that all school personnel
 13 deserve to be treated with courtesy and proper deference.
- 14 (2) Responsibility for school safety. – Helping to create a harmonious school
 15 atmosphere that is free from threats, weapons, ~~and~~ violent or disruptive
 16 ~~behavior; behavior, and bullying and harassing behavior;~~ behavior, and bullying and harassing behavior; cultivating an
 17 orderly learning environment in which students and school personnel feel safe
 18 and secure; and encouraging the resolution of conflicts and disagreements
 19 through peaceful means, including peer mediation. Instruction in this
 20 responsibility should include a consistent and age-appropriate antiviolence
 21 message and a conflict resolution component for students in kindergarten
 22 through grade 12. These messages should include media-awareness education
 23 to help children recognize stereotypes and messages portraying violence. For
 24 the purposes of this section, bullying and harassing behavior is as defined in
 25 G.S. 115C-407.15.
- 26 (3) Service to others. – Engaging in meaningful service to their schools and their
 27 communities. Schools may teach service-learning by (i) incorporating it into
 28 their standard curriculum or (ii) involving a classroom of students or some
 29 other group of students in one or more hands-on community service projects.
 30 All schools are encouraged to provide opportunities for student involvement
 31 in community service or service-learning projects.
- 32 (4) Good citizenship. – Obeying the laws of the nation and this State; abiding by
 33 school rules; and understanding the rights and responsibilities of a member of
 34 a republic."

35 **SECTION 1.(b)** G.S. 115C-407.16 reads as rewritten:

36 **"§ 115C-407.16. Policy against bullying or harassing behavior.**

37 (a) ~~Before December 31, 2009, each~~ Each local school administrative unit shall adopt
 38 and implement a policy prohibiting bullying or harassing behavior.

39 (b) The policy shall contain, at a minimum, the following preventative components:

- 40 (1) A statement prohibiting bullying or harassing behavior.
- 41 (2) A definition of bullying or harassing behavior no less inclusive than that set
 42 forth in this Article.
- 43 (3) A description of the type of behavior expected for each student and school
 44 employee.
- 45 (4) Consequences and appropriate remedial action for a person who commits an
 46 act of bullying or ~~harassment~~ harassment, which may include additional
 47 high-quality instruction on the traits and responsibilities of character
 48 education, as provided in G.S. 115C-81.60, or participation in a conflict
 49 resolution and mediation model, as provided in G.S. 115C-81.15.
- 50 (5) A procedure for reporting an act of bullying or harassment, including a
 51 provision that permits a person to report such an act anonymously. This shall

- 1 not be construed to permit formal disciplinary action solely on the basis of an
2 anonymous report.
- 3 (6) A procedure for prompt investigation of reports of serious violations and
4 complaints of any act of bullying or harassment, identifying either the
5 principal or the principal's designee as the person responsible for the
6 investigation.
- 7 (7) A statement that prohibits reprisal or retaliation against any person who
8 reports an act of bullying or harassment, and the consequence and appropriate
9 remedial action for a person who engages in reprisal or retaliation.
- 10 (8) A statement of how the policy is to be disseminated and publicized, including
11 notice that the policy applies to participation in school-sponsored functions.
- 12 (c) Nothing in this Article shall prohibit a local school administrative unit from adopting
13 a policy that includes components beyond the minimum components provided in this section or
14 that is more inclusive than the requirements of this Article.
- 15 (d) At the beginning of each school year, the principal shall provide the local school
16 administrative unit's policy prohibiting bullying and harassing behavior, including
17 cyber-bullying, to staff, students, and parents as defined in G.S. 115C-390.1(b)(8). Notice of the
18 local policy shall appear in any school unit publication that sets forth the comprehensive rules,
19 procedures, and standards of conduct for schools within the school unit and in any student and
20 school employee handbook.
- 21 (e) Information regarding the local policy against bullying or harassing behavior shall be
22 incorporated into a school's employee training program.
- 23 (f) To the extent funds are appropriated for these purposes, a local school administrative
24 unit ~~shall, by March 1, 2010, shall~~ provide training on the local policy to school employees and
25 volunteers who have significant contact with students."
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27 **PART II. AUTHORIZATION OF EXPERIENCED NONPROFITS TO PROVIDE** 28 **CHILD SEXUAL ABUSE AND SEX TRAFFICKING TRAINING PROGRAMS FOR** 29 **EDUCATORS**

30 **SECTION 2.** G.S. 115C-375.20 reads as rewritten:

31 **"§ 115C-375.20. Child sexual abuse and sex trafficking training program required.**

- 32 (a) Definitions. – The following definitions shall apply in this section:
- 33 (1) School personnel. – Teachers, instructional support personnel, principals, and
34 assistant principals. This term may also include, in the discretion of the
35 employing entity, other school employees who work directly with students in
36 grades kindergarten through 12.
- 37 (b) Each employing entity shall adopt and implement a child sexual abuse and sex
38 trafficking training program for school personnel who work directly with students in grades
39 kindergarten through 12 that provides education and awareness training related to child sexual
40 abuse and sex trafficking, including, but not limited to, best practices from the field of prevention,
41 the grooming process of sexual predators, the warning signs of sexual abuse and sex trafficking,
42 how to intervene when sexual abuse or sex trafficking is suspected or disclosed, legal
43 responsibilities for reporting sexual abuse or sex trafficking, and available resources for
44 assistance. This training may be provided by local nongovernmental organizations with expertise
45 in these areas, local law enforcement ~~officers, officers~~ or other officers of the ~~court, court, or~~
46 nonprofit organizations with over 10 years of experience in providing research-based child sexual
47 abuse prevention curriculum. All school personnel who work with students in grades
48 kindergarten through 12 shall receive two hours of training consistent with this section in
49 even-numbered years beginning in 2020.
- 50 (c) No entity required to adopt a child sexual abuse and sex trafficking training program
51 by G.S. 115C-47(64), 115C-218.75(g), 115C-238.66(15), or 116-239.8(b)(17), or its members,

1 employees, designees, agents, or volunteers, shall be liable in civil damages to any party for any
2 loss or damage caused by any act or omission relating to the provision of, participation in, or
3 implementation of any component of a child sexual abuse and sex trafficking training program
4 required by this section, unless that act or omission amounts to gross negligence, wanton conduct,
5 or intentional wrongdoing. Nothing in this section shall be construed to impose any specific duty
6 of care or standard of care on an entity required to adopt a child sexual abuse and sex trafficking
7 training program by G.S. 115C-47(64), 115C-218.75(g), 115C-238.66(15), or
8 116-239.8(b)(17)."
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10 **PART III. PROVIDE AGE-APPROPRIATE INFORMATION AND RESOURCES ON**
11 **PREVENTION OF SUICIDE, ABUSE, AND NEGLECT AS PART OF THE HEALTH**
12 **EDUCATION CURRICULUM**

13 **SECTION 3.** G.S. 115C-81.25 reads as rewritten:

14 **"§ 115C-81.25. Health education.**

15 (a) Comprehensive health education instruction shall be developed and taught to students
16 from kindergarten through ninth grade.

17 (b) The State Board of Education shall do all of the following:

18 (1) Supervise the development and operation of the statewide comprehensive
19 school health education program, including curriculum development, teacher
20 professional development, promotion of training in teacher preparation
21 programs, learning material review, and assessment and evaluation of local
22 programs in the same manner as for other programs.

23 (2) Adopt objectives for the instruction of the subject areas listed in this section
24 that are appropriate for each grade level.

25 (3) Approve textbooks and other materials incorporating these objectives that
26 local school administrative units may purchase with State funds.

27 (c) The State Board of Education, through the Department of Public Instruction, shall, on
28 a regular basis, review materials related to these objectives and distribute these reviews to local
29 school administrative units for their information. This program includes age-appropriate
30 instruction in the following subject areas, regardless of whether this instruction is described as,
31 or incorporated into a description of, "family life education," "family health education," "health
32 education," "family living," "health," "healthful living curriculum," or "self-esteem":

33 (1) Mental and emotional ~~health~~health, including resources, skills, and strategies
34 for suicide prevention.

35 (2) Drug and alcohol abuse prevention.

36 (3) Nutrition.

37 (4) Dental health.

38 (5) Environmental health.

39 (6) Family living.

40 (7) Consumer health.

41 (8) Disease control.

42 (9) Growth and development.

43 (10) First aid and emergency care, including the teaching of cardiopulmonary
44 resuscitation (CPR) and the Heimlich maneuver by using hands-on training
45 with mannequins so that students pass a test approved by the American Heart
46 Association or American Red Cross. For the purposes of this subdivision,
47 schools shall do all of the following:

48 a. Use an instructional program developed by the American Heart
49 Association, the American Red Cross, or other nationally recognized
50 programs that is based on the most current national evidence-based
51 emergency cardiovascular care guidelines for CPR.

- 1 b. Maintain documentation in an electronic database that students have
2 successfully completed CPR instruction to meet healthful living
3 essential standards.
4 c. Require successful completion of instruction in CPR to be a
5 requirement for high school graduation by the 2014-2015 school year.
6 (11) Preventing sexually transmitted diseases, including HIV/AIDS, and other
7 communicable diseases. As used in this section, "HIV/AIDS" means Human
8 Immunodeficiency Virus/Acquired Immune Deficiency Syndrome.
9 (12) Reproductive health and safety education.
10 (13) Bicycle safety.
11 (14) Abuse and neglect prevention, including sexual abuse, that is age appropriate
12 and provides high-quality information to students on resources for reporting
13 abuse, consistent with the rule established pursuant to G.S. 115C-12(47).
14 (d) Parental Review. – The State Board of Education shall make available to all local
15 school administrative units for review by the parents and legal guardians of students enrolled at
16 those units any State-developed objectives for instruction, any approved textbooks, the list of
17 reviewed materials, and any other State-developed or approved materials that pertain to or are
18 intended to impart information or promote discussion or understanding in regard to the
19 prevention of sexually transmitted diseases, including HIV/AIDS, to the avoidance of
20 out-of-wedlock pregnancy, or to the reproductive health and safety education curriculum. The
21 review period shall extend for at least 60 days before use.
22 (e) Duty of Local School Administrative Units. – Each local school administrative unit
23 shall provide a comprehensive school health education program that meets all the requirements
24 of this section and all the objectives established by the State Board. Each local board of education
25 may expand on the subject areas to be included in the program and on the instructional objectives
26 to be met."
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28 **PART IV. EFFECTIVE DATE**

29 **SECTION 4.** This act is effective when it becomes law. Sections 1 and 3 of this act
30 apply beginning with the 2023-2024 school year.