

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

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HOUSE BILL 434  
Committee Substitute Favorable 4/3/19  
Committee Substitute #2 Favorable 4/16/19

Short Title: Suicide Risk Ref./Mental Health/Teen Violence.

(Public)

Sponsors:

Referred to:

March 25, 2019

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE LOCAL BOARDS OF EDUCATION, CHARTER SCHOOLS,  
3 REGIONAL SCHOOLS, INNOVATIVE SCHOOLS, LABORATORY SCHOOLS, AND  
4 THE RENEWAL SCHOOL SYSTEM TO ADOPT AND IMPLEMENT A SUICIDE RISK  
5 REFERRAL PROTOCOL, A MENTAL HEALTH TRAINING PROGRAM, AND A  
6 POLICY AGAINST TEEN DATING VIOLENCE AND ABUSE.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.(a)** G.S. 115C-47 is amended by adding a new subdivision to read:

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

14 **SECTION 1.(b)** G.S. 115C-218.75 is amended by adding a new subsection to read:

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

18 **SECTION 1.(c)** G.S. 115C-238.66 is amended by adding a new subdivision to read:

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

22 **SECTION 1.(d)** G.S. 116-239.8(b) is amended by adding a new subdivision to read:

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

27 **SECTION 1.(e)** The title of Article 25A of Chapter 115C of the General Statutes  
28 reads as rewritten:

29 "Article 25A.

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

31 **SECTION 1.(f)** Article 25A of Chapter 115C of the General Statutes is amended by  
32 adding a new section to read:

33 "§ 115C-375.11. Suicide risk referral protocol and mental health training program  
34 required.



1        (a) Each local board of education shall adopt and implement a suicide risk referral  
2 protocol for school personnel who work directly with students in grades kindergarten through  
3 12. The protocol shall, at a minimum, do all of the following:

- 4            (1) Inform school personnel of suicide risk referral procedures, including the  
5 provision of training.  
6            (2) Establish crisis teams.  
7            (3) Inform school personnel on how to identify and intervene in appropriate  
8 situations.

9        (b) Each local board of education shall adopt and implement a mental health training  
10 program for school personnel who work directly with students in grades kindergarten through  
11 12. The mental health training program adopted by a local board of education shall address the  
12 following topics:

- 13            (1) Youth mental health.  
14            (2) Suicide prevention.  
15            (3) Substance abuse.  
16            (4) Sexual abuse prevention.  
17            (5) Sex trafficking prevention.

18        (c) Local boards of education shall periodically review and update their adopted suicide  
19 risk referral protocols and mental health training programs, as necessary.

20        (d) Nothing in this section shall be construed to impose an additional duty on any entity  
21 required to adopt a suicide risk referral protocol and mental health training program by  
22 G.S. 115C-47(64), 115C-218.75(g), 115C-238.66(14), or 116-239.8(b)(17), or its employees, to  
23 provide referrals, suicide prevention measures, or mental health services to students of the unit.

24        (e) No entity required to adopt a suicide risk referral protocol and mental health training  
25 program by G.S. 115C-47(64), 115C-218.75(g), 115C-238.66(14), or 116-239.8(b)(17), or its  
26 members, employees, designees, agents, or volunteers, shall be liable in civil damages to any  
27 party for any loss or damage caused by any act or omission relating to the provision of,  
28 participation in, or implementation of any component of a suicide risk referral protocol or mental  
29 health training program required by this section, unless that act or omission amounts to gross  
30 negligence, wanton conduct, or intentional wrongdoing. Nothing in this section shall be  
31 construed to impose any specific duty of care or standard of care on an entity required to adopt a  
32 suicide risk referral protocol and mental health training program by G.S. 115C-47(64),  
33 115C-218.75(g), 115C-238.66(14), or 116-239.8(b)(17)."

34        **SECTION 1.(g)** This section is effective when it becomes law. Each entity required  
35 by Section 1(a), (b), (c), and (d) to adopt and implement a suicide risk referral protocol and mental  
36 health training program shall do so by July 1, 2020. The suicide risk referral protocols and mental  
37 health training programs adopted by each entity shall meet the requirements developed by the  
38 Superintendent's Working Group on Health and Well Being pursuant to Section 5 of S.L.  
39 2018-32. The Superintendent of Public Instruction shall ensure that a copy of these requirements  
40 is made available to each entity by October 15, 2019.

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

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

- 45            a. Define dating violence and abuse.  
46            b. Prohibit dating violence and abuse by any student on school property,  
47 including during a school-sponsored activity or during  
48 school-sponsored transportation.  
49            c. Provide procedures for responding to such incidents of dating violence  
50 or abuse, including accommodations for students experiencing dating  
51 violence or abuse.

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

3           **SECTION 2.(b)** G.S. 115C-81.30(a) is amended by adding a new subdivision to

4 read:

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

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

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

10           (1)    Define dating violence and abuse.

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

14           (3)    Provide procedures for responding to such incidents of dating violence or  
15                     abuse, including accommodations for students experiencing dating violence  
16                     or abuse.

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

19           **SECTION 2.(d)** G.S. 115C-218.85(a) is amended by adding a new subdivision to

20 read:

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

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

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

29           a.     Define dating violence and abuse.

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

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

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

38           **SECTION 2.(f)** G.S. 115C-238.66(1) is amended by adding a new sub-subdivision

39 to read:

40           "e. The board of directors shall ensure that instruction on dating violence  
41                     and abuse is provided, as defined in the policy adopted under  
42                     G.S. 115C-238.66(15). If the school has a reproductive health and  
43                     safety education program, instruction on dating violence and abuse  
44                     shall be incorporated into the program."

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

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

49           a.     Define dating violence and abuse.

- 1                    b. Prohibit dating violence and abuse by any student on school property,
- 2                    including during a school-sponsored activity or during
- 3                    school-sponsored transportation.
- 4                    c. Provide procedures for responding to such incidents of dating violence
- 5                    or abuse, including accommodations for students experiencing dating
- 6                    violence or abuse.
- 7                    d. Be implemented in a manner that is integrated with the discipline
- 8                    policies of the school."

9                    **SECTION 2.(h)** G.S. 116-239.8(b)(2) is amended by adding a new sub-subdivision  
10 to read:

- 11                    "d. The board of directors shall ensure that instruction on dating violence
- 12                    and abuse is provided, as defined in the policy adopted under
- 13                    G.S. 115C-239.8(b)(18). If the school has a reproductive health and
- 14                    safety education program, instruction on dating violence and abuse
- 15                    shall be incorporated into the program."

16                    **SECTION 2.(i)** This section is effective when it becomes law. Each entity required  
17 by Section 2(a), (c), (e), and (g) to adopt and implement a policy against teen dating violence  
18 shall do so by July 1, 2020. Each entity required by Section 2(b), (d), (f), and (h) to provide  
19 instruction on dating violence and abuse shall do so beginning with the 2020-2021 school year.

20                    **SECTION 3.** Except as otherwise provided, this act is effective when it becomes  
21 law.