

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**EXTRA SESSION 1994**

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HOUSE BILL 18\*  
Committee Substitute Favorable 2/25/94

Short Title: Save Our Students (S.O.S.) Prog. Funds.

(Public)

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Sponsors:

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Referred to: Children and Youth.

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February 8, 1994

A BILL TO BE ENTITLED

AN ACT TO IMPLEMENT THE SAVE OUR STUDENTS (S.O.S.) PROGRAM.

The General Assembly of North Carolina enacts:

Section 1. The General Assembly finds that:

- (1) The issues of crime and school violence in the State's public schools have been well documented;
- (2) While there is a need to address these issues with a series of immediate strategies, it must be recognized that long-term, preventive solutions are also necessary;
- (3) As part of this long-term program, Governor Hunt has proposed a middle school violence prevention program called Save Our Students (S.O.S.) that is based on the following four fundamental principles:
  - a. Middle school-aged children need well-supervised and enriching activities that extend beyond the traditional school day and are designed to enhance self-esteem and improve academic performance. These activities are powerful, preventive measures for reducing crime and violence;
  - b. Efforts to reduce crime and violence among middle school-aged children must be based on shared responsibility involving home, school, and community;
  - c. Each local middle school community must design a focused program based on local needs and strong accountability measures; and

1 d. In many communities, the middle grades facility may be the  
2 primary or only building available for implementing this  
3 program.

4 (4) The S.O.S. Program will rely on Neighborhood Councils that shall be  
5 responsible for developing after-school programs for middle school-  
6 aged students either at the school site or at other suitable sites in the  
7 community;

8 (5) These programs may expand already established community resources  
9 such as programs at or after schools, at churches, parks and recreation  
10 departments, or other non-profit organization programs that serve  
11 middle school-aged children. Program focus, site, transportation, and  
12 scheduling shall be flexible to best meet the needs of the students;

13 therefore, there is appropriated from the General Fund to the Office of the Governor the  
14 sum of ten million dollars (\$10,000,000) for the 1994-95 fiscal year to implement the  
15 Save Our Students (S.O.S.) Program. Of these funds:

16 (1) Up to \$9,800,000 shall be used to provide S.O.S. grants to implement  
17 the after-school programs described in G.S. 115C-239(b); and

18 (2) Up to \$200,000 shall be used to administer the S.O.S. Program.

19 These funds shall not be used for activities for children who are not middle school-aged  
20 children.

21 A middle school is a public school that contains no grade levels below the  
22 sixth grade or above the ninth grade. Middle school-aged children are children enrolled  
23 in grades six, seven, eight, or nine.

24 Sec. 2. Article 16 of Chapter 115C of the General Statutes is amended by  
25 adding a new Part to read:

26 **"PART 8. S.O.S. PROGRAM.**

27 **"§ 115C-239. Establishment of program; purpose; goals.**

28 (a) There is created in the Office of the Governor the Save Our Students (S.O.S.)  
29 Program. The purpose of the program is to award three-year grants to provide high  
30 quality, educationally appropriate, after-school activities for middle school-aged  
31 children. These activities shall be designed to enrich and make a positive impact on the  
32 lives of middle school-aged children.

33 (b) The goals of the program are to:

34 (1) Reduce juvenile crime in local communities served by the program;

35 (2) Identify and recruit community resources such as schools, parks and  
36 recreation departments, churches, and other non-profit organizations  
37 that serve young adolescents to expand or develop programs to provide  
38 after-school activities;

39 (3) Reduce the number of students identified as 'latchkey' children;

40 (4) Improve the academic performance of students participating in the  
41 program; and

42 (5) Meet the physical, intellectual, emotional, and social needs of students  
43 participating in the program and improve their attitudes and behavior.

44 **"§ 115C-239.1. Definitions.**

1 As used in this Part:

- 2 (1) 'Middle school' means a public school that contains no grade levels  
3 below the sixth grade or above the ninth grade.  
4 (2) 'Middle school-aged children' means children enrolled in grades six,  
5 seven, eight, or nine.

6 **"§ 115C-239.2. Administration of the program.**

7 (a) There is created in the Office of the Governor the Save Our Students  
8 Commission. The purpose of the Commission is to administer the S.O.S. Program.

9 (b) The Save Our Students Commission shall consist of 20 members appointed as  
10 follows:

- 11 (1) One representative of the Office of the Governor appointed by the  
12 Governor;  
13 (2) Three representatives of the Department of Human Resources  
14 appointed by the Governor, one from the Division of Child  
15 Development, one from the Division of Juvenile Services, and one  
16 from the Division of Mental Health, Developmental Disabilities, and  
17 Substance Abuse Services;  
18 (3) One representative of the Department of Crime Control and Public  
19 Safety appointed by the Governor;  
20 (4) One representative of the Department of Cultural Resources appointed  
21 by the Governor;  
22 (5) One representative of the Agricultural Extension Services appointed  
23 by the Governor;  
24 (6) One representative of the Child Advocacy Institute appointed by the  
25 Governor;  
26 (7) Two representatives of the North Carolina School-Age Care Coalition  
27 appointed by the Governor, one of whom is a nonprofit sector provider  
28 and one of whom is a for-profit sector provider;  
29 (8) One representative of the North Carolina Association for Community  
30 Educators appointed by the Governor;  
31 (9) One representative of the North Carolina League of Middle Level  
32 Schools appointed by the Governor;  
33 (10) One public school teacher appointed by the Governor;  
34 (11) Two representatives of the Department of Public Instruction appointed  
35 by the State Superintendent of Public Instruction;  
36 (12) One member appointed by the General Assembly upon the  
37 recommendation of the President Pro Tempore of the Senate in  
38 accordance with G.S. 120-121;  
39 (13) One member appointed by the General Assembly upon the  
40 recommendation of the Speaker of the House of Representatives in  
41 accordance with G.S. 120-121;  
42 (14) One representative of the Legal Services Division of the Attorney  
43 General's Office appointed by the Attorney General;

1           (15) One representative from a community-based non-profit organization  
2           that provides activities for middle school-aged children, to be  
3           appointed by the Governor; and

4           (16) One representative from the Guardian ad Litem Program, appointed by  
5           the Governor.

6           The initial members of the Commission appointed pursuant to subdivisions (3), (5),  
7           (8), (9), and (14) of this subsection, one of the initial members appointed pursuant to  
8           subdivision (2) of this subsection, and one of the initial members appointed pursuant to  
9           subdivision (7) of this subsection, shall serve for terms expiring July 1, 1997. The  
10          remainder of the initial members shall serve for terms expiring July 1, 1999. The  
11          subsequent appointees shall serve for four-year terms expiring on July 1.

12          Vacancies in appointments made by the General Assembly shall be filled in  
13          accordance with G.S. 120-122. Other vacancies shall be filled for the remainder of the  
14          unexpired term in the same manner as the original appointment.

15          The Governor may remove any member of the Commission from office in  
16          accordance with the provisions of G.S. 143B-16.

17          (c) The duties of the Save Our Students Commission shall be as follows:

18           (1) Disseminating information regarding the program to interested local  
19           community groups;

20           (2) Sponsoring a statewide conference in March of each year for teams of  
21           interested representatives from each county to provide background  
22           information and assistance regarding all aspects of the program;

23           (3) Developing and disseminating prior to April 22 of each year a process  
24           for applying for grants;

25           (4) Reviewing grant proposals and awarding grants prior to July 1 of each  
26           year in accordance with G.S. 115C-239.4;

27           (5) Administering funds appropriated by the General Assembly;

28           (6) Monitoring the grants funded;

29           (7) Revoking a grant if the grant recipient does not make any necessary  
30           modifications in a program to address strategies that are not working;

31           (8) Reporting annually on program implementation to the Joint Legislative  
32           Committee on Education Oversight and to the Governor's Council on  
33           Children, Youth, and Families;

34           (9) Providing initial technical assistance to grant applicants and ongoing  
35           technical assistance as grants are implemented; and

36           (10) Providing additional technical assistance to communities faced with  
37           social, demographic, or financial barriers to the development of a  
38           grant. This assistance shall only be provided if requested by the  
39           grantee.

40          **"§ 115C-239.3. Application for grants.**

41           (a) A board of county commissioners, upon the recommendation of the  
42           Neighborhood Council, may apply for a grant to serve middle school-aged children  
43           through community-based entities that may include schools.

1 Grant funds shall not be used to provide activities for children who are not middle  
2 school-aged children.

3 (b) All local grant proposals shall be developed by Neighborhood Councils.

4 A grant proposal developed by a Neighborhood Council for services for middle  
5 school-aged children offered through community-based entities that may include  
6 schools shall be submitted by the Neighborhood Council to the boards of commissioners  
7 of the counties in which the students to be served live. The boards of commissioners  
8 may modify the proposal as they consider appropriate and submit it to the Save Our  
9 Students Commission. If a board of commissioners receives grant proposals for more  
10 than one program to serve students who live in the county, the board shall rank the  
11 proposals in order of local needs and priorities before submitting them to the  
12 Commission. The board of commissioners shall consult with representatives of each  
13 community-based entity for which a proposal is submitted, local law enforcement, the  
14 schools that the students to be served attend, and the County Department of Social  
15 Services, before ranking the grant proposals.

16 (c) A Neighborhood Council may be either an appointed Neighborhood Council  
17 or a Local Initiative Neighborhood Council.

18 (1) The board of the local school administrative unit in which the school is  
19 located and the boards of commissioners of the counties in which the  
20 students served by the school live may appoint a school-based  
21 Neighborhood Council to develop a grant proposal for a particular  
22 middle school or other school. The Neighborhood Council may be  
23 either an existing community group, nonprofit corporation, or other  
24 governmental or nongovernmental entity, or a new entity that reflects  
25 the demographics of the community being served and includes broad  
26 representation of government, school, and community agencies. The  
27 initial Neighborhood Councils shall be appointed prior to April 15,  
28 1994.

29 (2) A group of citizens may organize itself as a Local Initiative  
30 Neighborhood Council and develop a grant proposal for (i) a middle  
31 school if the local board of education and the boards of commissioners  
32 do not appoint a School-based Neighborhood Council for that middle  
33 school, (ii) a school other than a middle school if the local board of  
34 education and the boards of commissioners do not appoint a School-  
35 based Neighborhood Council for that school, or (iii) services for  
36 middle school-aged children offered through community-based entities  
37 other than schools.

38 (d) The grant proposal shall include:

39 (1) A needs assessment conducted by the Neighborhood Council of  
40 existing conditions for middle school-aged children. Data collected  
41 shall include (i) local dropout statistics, (ii) juvenile crime and arrest  
42 statistics, (iii) the number of suspensions and expulsions involving  
43 middle school-aged children, (iv) average daily membership of middle  
44 school-aged children who would be served by the program, and (v)

1 local demographic data, such as the percent of children in poverty,  
2 percent of children from single-parent families, Medicaid  
3 certifications, and unique local demographic conditions.

4 (2) A three-year plan to address the needs of the middle school-aged  
5 children through a concentrated after-school enrichment program for  
6 middle school-aged children. The plan may focus on new initiatives or  
7 established initiatives that are successful and need additional support  
8 to improve and expand offerings to students. The plan shall provide,  
9 at a minimum, for:

10 a. After-school supervision and enrichment activities for middle  
11 school-aged children between the regular closing of school and  
12 6:00 p.m. on school days, except where transportation plans  
13 make it appropriate to end the program earlier than 6:00 p.m.;

14 b. The involvement of community resources such as after-school  
15 education enhancement programs, parks and recreation  
16 departments, churches, and other non-profit organizations that  
17 serve young adolescents to expand or develop programs to  
18 provide after-school activities.

19 c. A list of activities to be offered. These activities shall relate to  
20 the goals and strategies of the local plan and shall be designed  
21 to include students with special behavior and social needs;

22 d. All necessary transportation of children to and from the  
23 activities; and

24 e. Strategies expressly designed to enhance parental involvement  
25 in after-school activities, including business and industry  
26 involvement, special activities, and other efforts to engage  
27 parents in the education of their children.

28 (3) A proposed staffing pattern that includes permanent staff to administer  
29 and supervise the program. The proposed staffing pattern shall not  
30 include personnel in the central office of a local school administrative  
31 unit. The proposed staffing pattern may provide for the grant recipient  
32 to contract with a local, private, nonprofit 501(c)(3) corporation to  
33 staff and operate the program.

34 (4) A statement of costs including the costs of the staffing, materials,  
35 supplies, and transportation for participants.

36 (5) A statement of (i) how the grant funds would be used to address these  
37 local problems, (ii) what other resources including Safe Schools  
38 Grants, Chapter I funds, Chapter II block grant funds, dropout  
39 prevention funds, and Basic Education Program funds would be used  
40 to address local problems, and (iii) how all available resources would  
41 be coordinated to enhance the effectiveness of services provided.

42 **§ 115C-239.4. Grant selection.**

43 The Save Our Students Commission shall award grants prior to July 1 of each year.  
44 In awarding grants, the Commission shall consider (i) the severity of the local

1 problems as determined by needs assessment data related to crime and demographic  
2 factors, (ii) the likelihood that the locally designed plan will result in high quality,  
3 educationally appropriate, after-school activities for middle school-aged children, (iii)  
4 whether the demographic profile, geographic location of the applicant will make the  
5 program a useful model, and (iv) any innovation or experimental aspects of the plan that  
6 will make it a useful model.

7 In determining the amount of funds an applicant receives, the Commission shall  
8 consider (i) demographic facts such as the number of students in the school or  
9 community to be served and the incidence of juvenile crime and (ii) the amount needed  
10 to implement the proposal. For the 1994-95 fiscal year, the average amount of each  
11 grant shall be sixty thousand dollars (\$60,000) per year.

12 **"§ 115C-239.5. Administration of grant programs at the local level.**

13 (a) A board of commissioners shall administer a grant for a program to serve  
14 middle school-aged children through community-based entities other than schools, with  
15 the advice of the Neighborhood Council that developed the grant application. Funds to  
16 administer the grant shall be allocated to the lead organization identified in the program.

17 It is the goal of the General Assembly that all programs that receive grants for the  
18 1994-95 fiscal year shall be operating at the beginning of the 1994-95 school year. In  
19 no case shall the implementation of these programs begin later than January 31, 1995.

20 (b) The board of commissioners that is administering a program shall make any  
21 necessary modifications in the program to address strategies that are not working.

22 **"§ 115C-239.6. Program evaluation.**

23 (a) Each Neighborhood Council shall report on or before February 1 and July 1  
24 of each year to the board of commissioners that is implementing the program. The  
25 report shall include original baseline data, strategies to address these local issues, and  
26 progress made regarding the baseline data. In addition, the biannual reports shall  
27 address progress being made on the goals of the program. In areas where little or no  
28 progress has been made, a written explanation as to why progress has not been made  
29 shall be provided.

30 (b) A board of commissioners shall report on or before August 1 of each year to  
31 the Save Our Students Commission on each program that it is implementing. The report  
32 shall be prepared with the advice and assistance of the Neighborhood Council that  
33 prepared the grant application and the lead organization that implemented the program.  
34 The report shall be comprehensive and shall include the information required in the  
35 biannual report in accordance with subsection (a) of this section. The report shall  
36 include any modifications of the program to address strategies that are not working."

37 Sec. 3. G.S. 120-123 is amended by adding a new subdivision to read:

38 "(63) The Save Our Students Commission, as established by G.S. 115C-  
39 239.2."

40 Sec. 4. Section 1 of this act becomes effective July 1, 1994. The remainder  
41 of this act is effective upon ratification. The Save Our Students Commission may use  
42 any funds available in the Office of the Governor to carry out its operations prior to July  
43 1, 1994.