



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 959

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

H959-ABE-27 [v.5]

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Amends Title [YES]

Date _____, 2025

Third Edition

Senator Meyer

moves to amend the bill on page 1, line 4, by inserting the following at the end of the line before the period:

"AND TO PROHIBIT SEX OFFENDERS FROM EMPLOYMENT IN CHARTER SCHOOLS AND SCHOOLS THAT ACCEPT OPPORTUNITY SCHOLARSHIPS";

and on page 3, lines 6-7, by inserting the following between the lines:

"SECTION 3.5.(a) G.S. 115C-218.15(b) reads as rewritten:

"(b) A charter school shall be operated by a private nonprofit corporation that shall have received federal tax-exempt status no later than 24 months following final approval of the application. The board of directors of the charter schools shall adopt a conflict of ~~interest~~ interest, criminal history exclusions, and anti-nepotism policy that includes, at a minimum, the following:

(1) The requirements of Chapter 55A of the General Statutes related to conflicts of interest.

(2) A requirement that before any immediate family, as defined in G.S. 115C-12.2, of any member of the board of directors or a charter school employee with supervisory authority shall be employed or engaged as an employee, independent contractor, or otherwise by the board of directors in any capacity, such proposed employment or engagement shall be (i) disclosed to the board of directors and (ii) approved by the board of directors in a duly



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1 called open-session meeting. The burden of disclosure of such a conflict of
2 interest shall be on the applicable board member or employee with supervisory
3 authority. If the requirements of this subsection are complied with, the charter
4 school may employ immediate family of any member of the board of directors
5 or a charter school employee with supervisory authority.

6 (3) A requirement that a person shall not be disqualified from serving as a member
7 of a charter school's board of directors because of the existence of a conflict
8 of interest, so long as the person's actions comply with the school's conflict of
9 interest policy established as provided in this subsection and applicable law.

10 (4) A requirement that no member of the board of directors has been convicted of
11 any offense that requires registration in the Sex Offender and Public
12 Protection Registration Programs under Article 27A of Chapter 14 of the
13 General Statutes, regardless of whether the offense has been expunged."

14 **SECTION 3.5.(b)** G.S. 115C-218.90(b) reads as rewritten:

15 "(b) Criminal History Checks. –

16 (1) ~~If the local board of education of the local school administrative unit in which~~
17 ~~a charter school is located has adopted a policy requiring criminal history~~
18 ~~checks under G.S. 115C-332, then the~~ A board of directors of each a charter
19 school located in that local school administrative unit shall adopt a policy
20 ~~mirroring the local board of education policy that requires to require~~ an
21 applicant for employment or volunteer to be checked for a criminal history, as
22 defined in G.S. 115C-332. Each charter school board of directors shall apply
23 its policy uniformly in requiring applicants for employment to be checked for
24 a criminal history before the applicant is given an unconditional job offer. A
25 board of directors shall not employ or permit to volunteer any individual who
26 has been convicted of any offense that requires registration in the Sex
27 Offender and Public Protection Registration Programs under Article 27A of
28 Chapter 14 of the General Statutes, regardless of whether the offense has been
29 expunged. A charter school board of directors may employ an applicant
30 conditionally while the board is checking the person's criminal history and
31 making a decision based on the results of the check. ~~If the local board of~~
32 ~~education adopts a policy providing for periodic checks of criminal history of~~
33 ~~employees, then the board of directors of each charter school located in that~~
34 ~~local school administrative unit shall adopt a policy mirroring that local board~~
35 ~~of education policy.~~ A board of directors shall indicate, upon inquiry by any
36 other local board of education, charter school, or regional school in the State
37 as to the reason for an employee's resignation or dismissal, if an employee's
38 criminal history was relevant to the employee's resignation or dismissal.

39"

40 **SECTION 3.5.(c)** G.S. 115C-562.5(a) is amended by adding a new subdivision to

41 read:

42 "(2a) Require applicants for employment and volunteers to be checked for criminal
43 history, as defined in G.S. 115C-332. A nonpublic school shall not employ or

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1 permit to volunteer any individual who has been convicted of any offense that
2 requires registration in the Sex Offender and Public Protection Registration
3 Programs under Article 27A of Chapter 14 of the General Statutes, regardless
4 of whether the offense has been expunged.".
5

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____