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Short Title: Criminal History Checks for School Positions.

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Sponsors:

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April 7, 2025

A BILL TO BE ENTITLED
AN ACT TO REQUIRE CRIMINAL HISTORY CHECKS FOR THE INITIAL MEMBERS OF
A CHARTER SCHOOL BOARD OF DIRECTORS AND APPLICANTS FOR
EMPLOYMENT WITH A PUBLIC SCHOOL UNIT; TO MODIFY REPORTING
REQUIREMENTS FOR MISCONDUCT BY SCHOOL EMPLOYEES; TO
STRENGTHEN REPORTING REQUIREMENTS FOR THREATS AND ASSAULTS ON
TEACHERS; AND TO ENCOURAGE THE STATE BOARD OF EDUCATION TO
ALIGN ITS LICENSURE SYSTEM WITH THE MULTISTATE EDUCATOR LOOKUP
SYSTEM.

The General Assembly of North Carolina enacts:

**PART I. REQUIRE CRIMINAL HISTORY CHECKS FOR THE INITIAL MEMBERS
OF A CHARTER SCHOOL BOARD OF DIRECTORS**

SECTION 1.(a) G.S. 115C-218.1(b)(3) reads as rewritten:

"(3) The governance structure of the school including the names of the initial members of the board of directors of the nonprofit, tax-exempt corporation and the process to be followed by the school to ensure parental involvement. The initial members of the board of directors shall consent to a criminal history check as provided in G.S. 115C-218.4. A teacher employed by the board of directors to teach in the charter school may serve as a nonvoting member of the board of directors for the charter school."

SECTION 1.(b) Article 14A of Chapter 115C of the General Statutes is amended by adding a new section to read:

"§ 115C-218.4. Charter board of directors criminal history checks.

(a) The following definitions apply in this section:

(1) Consumer reporting agency. – As defined in G.S. 115C-77(a).

(2) Criminal history. – As defined in G.S. 115C-77(a).

(3) Member. – An individual who is a member of the board of directors of a nonprofit corporation seeking initial approval to establish a charter school.

(b) The Review Board shall require all members of the board of directors of a nonprofit corporation to be checked for a criminal history by either a consumer reporting agency, the State Bureau of Investigation, or both, before granting final approval of a charter application. The



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1 Review Board shall require a member to pay for the criminal history check authorized under this
2 subsection, but the nonprofit corporation may pay for the criminal history check on behalf of the
3 member. The Review Board shall not issue a charter to a nonprofit with a member who refuses
4 to consent to a criminal history check.

5 (c) If the Review Board requires a criminal history check by the State Bureau of
6 Investigation, all of the following apply:

7 (1) The State Bureau of Investigation shall provide to the Review Board the
8 criminal history from the State and National Repositories of Criminal
9 Histories of any member.

10 (2) The Review Board shall require the member to (i) be fingerprinted and to
11 provide any additional information required by the State Bureau of
12 Investigation to a person designated by the Review Board and (ii) sign a form
13 consenting to the check of the criminal record and to the use of fingerprints
14 and other identifying information required by the repositories.

15 (d) The Review Board shall review the criminal history it receives on a member and shall
16 determine whether the results of the review indicate that the member (i) poses a threat to the
17 physical safety of students or personnel or (ii) has demonstrated that he or she does not have the
18 integrity or honesty to fulfill his or her duties as a member of the board of directors of a charter
19 school. If the Review Board denies an application for a charter based on its review of the criminal
20 history it receives on a member, the Review Board shall make written findings with regard to
21 how it used the information when denying the application.

22 (e) All of the information received by the Review Board through the checking of the
23 criminal history in accordance with this section is privileged information and is not a public
24 record but is for the exclusive and confidential use of the Review Board. The Review Board may
25 destroy the information after it is used for the purposes authorized by this section after one
26 calendar year.

27 (f) There shall be no liability for negligence on the part of the Review Board, or its
28 employees, arising from any act taken or omission by any of them in carrying out the provisions
29 of this section. The immunity established by this subsection shall not extend to gross negligence,
30 wanton conduct, or intentional wrongdoing that would otherwise be actionable. The immunity
31 established by this subsection shall be deemed to have been waived to the extent of
32 indemnification by insurance, indemnification under Articles 31A and 31B of Chapter 143 of the
33 General Statutes, and to the extent sovereign immunity is waived under the Tort Claims Act, as
34 set forth in Article 31 of Chapter 143 of the General Statutes.

35 (g) Any member who willfully furnishes, supplies, or otherwise gives false information
36 for a criminal history record check under this section is guilty of a Class A1 misdemeanor."

37 **SECTION 1.(c)** This section applies to applications for initial charters that are
38 received on or after October 1, 2025.

39 **PART II. CRIMINAL HISTORY CHECKS FOR PUBLIC SCHOOL UNIT PERSONNEL**

40 **SECTION 2.(a)** There is established in Article 7B of Chapter 115C of the General
41 Statutes a new Part to read "Part 7. Public School Unit Personnel."

42 **SECTION 2.(b)** G.S. 115C-332, as amended by S.L. 2025-47, is recodified into Part
43 7 of Article 7B of Chapter 115C of the General Statutes, as established by this act, as
44 G.S. 115C-77 and reads as rewritten:

45 **"§ 115C-77. School personnel criminal history checks.**

46 **(a)** ~~As used~~ The following definitions apply in this section:

47 **(1)** ~~"Criminal history"~~ means a Criminal history. – A county, state, or federal
48 criminal history of conviction of a crime, whether a misdemeanor or a felony,
49 that indicates the employee (i) poses a threat to the physical safety of students
50 or personnel, or (ii) has demonstrated that he or she does not have the integrity
51

or honesty to fulfill his or her duties as public school personnel. Such crimes include the following North Carolina crimes contained in any of the following Articles of Chapter 14 of the General Statutes: Article 5A, Endangering ~~Executive and Legislative~~ Executive, Legislative, and Court Officers; Article 6, Homicide; Article 7B, Rape and ~~Kindred~~ Other Sex Offenses; Article 8, Assaults; Article 10, Kidnapping and Abduction; Article 13, Malicious Injury or Damage by Use of Explosive or Incendiary Device or Material; Article 14, Burglary and Other Housebreakings; Article 15, Arson and Other Burnings; Article 16, Larceny; Article 17, Robbery; Article 18, Embezzlement; Article 19, False Pretense and Cheats; Article 19A, Obtaining Property or Services by False or Fraudulent Use of Credit Device or Other Means; Article 20, Frauds; Article 21, Forgery; Article 26, Offenses Against Public Morality and Decency; Article 26A, Adult Establishments; Article 27, Prostitution; Article 28, Perjury; Article 29, Bribery; Article 31, Misconduct in Public Office; Article 35, Offenses Against the Public Peace; Article 36A, Riots, Civil Disorders, and Emergencies; Article 39, Protection of Minors; and Article 60, Computer-Related Crime. Such crimes also include possession or sale of drugs in violation of the North Carolina Controlled Substances Act, Article 5 of Chapter 90 of the General Statutes, and alcohol-related offenses such as sale to underage persons in violation of G.S. 18B-302 or driving while impaired in violation of G.S. 20-138.1 through G.S. 20-138.5. In addition to the North Carolina crimes listed in this subparagraph, such crimes also include similar crimes under federal law or under the laws of other states.

(2) Consumer reporting agency. – An entity which, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information on consumers, including criminal history checks, for the purpose of furnishing consumer reports to third parties, and which uses any means or facility of interstate commerce for the purpose of preparing or furnishing consumer reports, and which is regulated as provided in 15 U.S.C. § 1681, et seq. A criminal history check by a consumer reporting agency provided for purposes of this section must include all of the following:

- a. A search of the state criminal registry or repository in which the applicant resides.
- b. A multistate/multijurisdiction database search which includes a follow-up search at the originating source for any information returned by the database search and which confirms final disposition information of the same.
- c. A search of records obtained from county, state, and federal criminal repositories where the individual resides and has previously resided.
- d. A search of the National Sex Offender Registry established as provided in 42 U.S.C. § 16919.

(3) Governing body. – The governing body of a public school unit.

~~(2)(4)~~ "School personnel" means any:

- a. ~~Employee of a local board of education whether full-time or part-time,~~
- ~~or~~
- b. ~~Independent contractor or employee of an independent contractor of a local board of education, if the independent contractor carries out duties customarily performed by school personnel,~~
- ~~whether paid with federal, State, local, or other funds, who has significant access to students. School personnel includes substitute teachers, driver~~

~~training teachers, bus drivers, clerical staff, and custodians. School personnel.~~
~~– Any individual who meets all of the following, regardless of whether the individual is paid with federal, State, local, or other funds:~~

~~a. Meets one of the following:~~

~~1. Is an employee of the governing body of a public school unit whether full time or part time.~~

~~2. Is an independent contractor or employee of an independent contractor of the governing body of a public school unit, if the independent contractor carries out duties customarily performed by school personnel.~~

~~b. Has significant access to students, including substitute teachers, driver training teachers, bus drivers, clerical staff, or custodians.~~

~~(b) Criminal History Checks Required. – Except as provided in subsection (j) of this section, each local board of education governing body shall adopt a policy on whether and under what circumstances that requires an applicant for a school personnel position shall be required to be checked for a criminal history by either a consumer reporting agency, the State Bureau of Investigation, or both, before the applicant is offered an unconditional job. Each local board of education governing body shall apply its policy uniformly in requiring applicants for school personnel positions to be checked for a criminal history. A local board of education that requires a criminal history check for an applicant governing body may employ an applicant conditionally while the board governing body is checking the person's criminal history and making a decision based on the results of the check. The governing body shall not employ or contract with an applicant who refuses to consent to a criminal history check.~~

~~A local board of education shall not governing body may require an applicant to pay for the criminal history check authorized under this subsection.~~

~~(c) Criminal History Check by the State Bureau of Investigation. – If the governing body requires a criminal history check by the State Bureau of Investigation, all of the following apply:~~

~~(1) The State Bureau of Investigation shall provide to the local board of education governing body the criminal history from the State and National Repositories of Criminal Histories of any applicant for a school personnel position in the local school administrative unit for which a local board of education requires a criminal history check. The local board of education public school unit.~~

~~(2) The governing body shall require the person to be checked by the State Bureau of Investigation applicant to (i) be fingerprinted and to provide any additional information required by the State Bureau of Investigation to a person designated by the local board, governing body, or to the local sheriff or the municipal police, whichever is more convenient for the person, and (ii) sign a form consenting to the check of the criminal record and to the use of fingerprints and other identifying information required by the repositories. The local board of education shall consider refusal to consent when making employment decisions and decisions with regard to independent contractors.~~

~~(3) The local board of education shall not governing body may require an applicant to pay for being fingerprinted.~~

~~(d) The local board of education Criminal History Review. – A governing body shall review the criminal history it receives on a person. The local board governing body shall determine whether the results of the review indicate that the applicant or employee (i) poses a threat to the physical safety of students or personnel, or (ii) has demonstrated that he or she does not have the integrity or honesty to fulfill his or her duties as public school personnel and shall use the information when making employment decisions and decisions with regard to independent contractors. The local board governing body shall make written findings with regard to how it used the information when making employment decisions and decisions with regard to~~

1 independent contractors. ~~The local board may delegate any of the duties in this subsection to the~~
2 ~~superintendent.~~

3 (e) State Board of Education to Receive Copy. – ~~The local board of education, or the~~
4 ~~superintendent if designated by the local board of education, governing body~~ shall provide to the
5 State Board of Education the criminal history it receives on a person who is certificated, certified,
6 or licensed by the State Board of Education. The State Board of Education shall review the
7 criminal history and determine whether the person's certificate or license should be revoked in
8 accordance with State laws and rules regarding revocation.

9 (e1) Authority to Delegate Duties. – Except for the governing body of a charter school, a
10 governing body may delegate any of the duties in subsection (d) or (e) of this section to the
11 superintendent or equivalent authority.

12 (f) Criminal History Check Documents Not Public Records. – All the information
13 received by ~~the local board of education through the checking of the criminal history or by a~~
14 ~~governing body or~~ the State Board of Education in accordance with this section is privileged
15 information and is not a public record but is for the exclusive use of the ~~local board of education~~
16 ~~governing body or~~ the State Board of Education. The ~~local board of education governing body~~
17 or the State Board of Education may destroy the information after it is used for the purposes
18 authorized by this section after one calendar year.

19 (g) Liability. – There shall be no liability for negligence on the part of a ~~local board of~~
20 ~~education, governing body~~ or its employees, or the State Board of Education, the Superintendent
21 of Public Instruction, or any of their members or employees, individually or collectively, arising
22 from any act taken or omission by any of them in carrying out the provisions of this section. The
23 immunity established by this subsection shall not extend to gross negligence, wanton conduct, or
24 intentional wrongdoing that would otherwise be actionable. The immunity established by this
25 subsection shall be deemed to have been waived to the extent of indemnification by insurance,
26 indemnification under Articles 31A and 31B of Chapter 143 of the General Statutes, and to the
27 extent sovereign immunity is waived under the Tort Claims Act, as set forth in Chapter 31 of
28 Chapter 143 of the General Statutes.

29 (h) Penalty for False Information. – Any applicant for employment who willfully
30 furnishes, supplies, or otherwise gives false information on an employment application that is the
31 basis for a criminal history record check under this section ~~shall be~~ is guilty of a Class A1
32 misdemeanor.

33 (i) ~~The local board of education~~ Additional Criminal History Checks. – A governing
34 body may adopt a policy providing for periodic checks of criminal history of employees. ~~Local~~
35 ~~boards of education~~ Governing bodies shall not require employees to pay for the criminal history
36 check authorized under this subsection. A ~~local board of education governing body~~ shall indicate,
37 upon inquiry by any other ~~local board of education, charter school, or regional school governing~~
38 ~~body in the State as to the reason for an employee's resignation or dismissal, if an employee's~~
39 criminal history was relevant to the employee's resignation or dismissal.

40 (j) Transportation Services. – Notwithstanding any provision of this section to the
41 contrary, the following provisions apply to a ~~local board of education governing body~~ that
42 contracts with a person under G.S. 115C-253 to provide transportation services to students:

43 (1) ~~The local board of education governing body~~ shall require an individual to
44 submit to a criminal history check before allowing that individual to act as a
45 driver pursuant to a contract under G.S. 115C-253. The ~~local board of~~
46 ~~education governing body~~ may satisfy this requirement by requesting and
47 receiving a previously completed criminal history check from another ~~local~~
48 ~~board of education governing body~~ as provided in subsection (k) of this
49 section.

50 (2) ~~The local board of education governing body~~ shall share the results of the
51 criminal history check with another ~~local board of education governing body~~

- 1 upon request of the other ~~local board of education governing body~~ as provided
2 in subsection (k) of this section.
- 3 (3) If allowed under federal law, the ~~local board of education governing body~~ may
4 delegate any of the duties under subsection (d) of this section to another
5 person.
- 6 (4) The ~~local board of education governing body~~ may require the individual to
7 pay for a criminal history check or fingerprinting authorized under this
8 section.
- 9 (k) Governing Bodies to Confirm Identified Disqualifying Offenses. – Upon request of a
10 ~~local board of education governing body~~, another ~~local board of education governing body~~ that
11 previously conducted a criminal history check under this section shall confirm, on a form
12 developed by the State Bureau of Investigation, whether any disqualifying offenses were reported
13 in the results of the criminal history check, provided all of the following conditions are satisfied:
- 14 (1) The previous criminal history check was conducted no more than three years
15 prior to the date of the request under this subsection.
- 16 (2) The individual who is the subject of the criminal history check has provided
17 written consent for the release of information on a form provided by the State
18 Bureau of Investigation that includes language that authorizes the disclosure
19 of criminal history results between ~~local school boards governing bodies~~ for
20 the purpose of complying with employment or contracting requirements in a
21 public school unit.
- 22 (3) The ~~local board of education governing body~~ requesting the results of the
23 criminal history check under this subsection submits its request using a form
24 provided by the State Bureau of Investigation that identifies the individual
25 who is the subject of the criminal history check and confirms that the
26 information is being sought for the purpose of meeting employment or
27 contracting requirements in a public school unit."
- 28 **SECTION 2.(c)** G.S. 14-202.4(d)(3) reads as rewritten:
- 29 "(3) School personnel. – Any person included in the definition contained in
30 ~~G.S. 115C-332(a)(2)~~, G.S. 115C-77(a), including those employed by a
31 nonpublic, charter, or regional school, and any person who volunteers at a
32 school or a school-sponsored activity."
- 33 **SECTION 2.(d)** G.S. 115C-157.1(b)(2) reads as rewritten:
- 34 "(2) An adjunct instructor shall be subject to a criminal history check, to ensure
35 that the person has not been convicted of any crime listed in ~~G.S. 115C-~~
36 ~~332~~.G.S. 115C-77."
- 37 **SECTION 2.(e)** G.S. 115C-218.90(b) is repealed.
- 38 **SECTION 2.(f)** G.S. 115C-238.73 is repealed.
- 39 **SECTION 2.(g)** G.S. 115C-298.5(b)(2) reads as rewritten:
- 40 "(2) An adjunct instructor shall be subject to a criminal history check, to ensure
41 that the person has not been convicted of any crime listed in ~~G.S. 115C-~~
42 ~~332~~.G.S. 115C-77."
- 43 **SECTION 2.(h)** G.S. 115C-332.1(a) reads as rewritten:
- 44 "(a) For purposes of this section, the term "contractual personnel" includes any individual
45 or entity under contract with the local board of education whose contractual job involves direct
46 interaction with students as part of the job. For purposes of this section, the term "contractual
47 personnel" does not include any person covered under ~~G.S. 115C-332~~.G.S. 115C-77."
- 48 **SECTION 2.(i)** G.S. 115C-562.5(d) reads as rewritten:
- 49 "(d) If the Authority determines that a nonpublic school is not in compliance with the
50 requirements of this section, the nonpublic school shall be ineligible to receive future scholarship
51 funds. The nonpublic school shall notify the parent or guardian of any enrolled student receiving

1 a scholarship grant that the nonpublic school is no longer eligible to receive future scholarship
2 grants. The Authority shall establish by rule a process for a nonpublic school to appeal for
3 reconsideration of eligibility after one year. To ensure compliance, the Board of Directors of the
4 Authority shall review the criminal history provided under subdivision (2) of subsection (a) of
5 this section to ensure that the person has not been convicted of any crime listed in ~~G.S. 115C-~~
6 ~~332-~~ G.S. 115C-77. The Board shall determine through this review whether the nonpublic school
7 is noncompliant with this section. The Board shall make written findings with regard to how the
8 criminal history information was used when making the compliance determination. The Board
9 of Directors may delegate any of the duties in this subsection to the Executive Director of the
10 Authority. As part of its review, the Board shall determine whether the results indicate that the
11 staff member has any of the following disqualifying characteristics:

12"

13 **SECTION 2.(j)** G.S. 116-239.12 is repealed.

14 **SECTION 2.(k)** G.S. 143B-1209.11 reads as rewritten:

15 **"§ 143B-1209.11. Criminal record checks of school personnel.**

16 (a) The State Bureau of Investigation may provide a criminal record check to the ~~local~~
17 ~~board of education governing body of a public school unit~~ of a person who is employed in a
18 ~~public school in that local school district that public school unit~~ or of a person who has applied
19 ~~for employment in a public school in that local school district, that public school unit,~~ if the
20 employee or applicant consents to the record check. The Bureau may also provide a criminal
21 record check of school personnel as defined in ~~G.S. 115C-332~~ G.S. 115C-77 by fingerprint card
22 to the ~~local board of education governing body of the public school unit~~ from National
23 Repositories of Criminal Histories, in accordance with ~~G.S. 115C-332-~~ G.S. 115C-77. The
24 information shall be kept confidential by the ~~local board of education governing body of the~~
25 public school unit as provided in G.S. 115C-77 and Article 21A of Chapter 115C of the General
26 Statutes.

27 (a1) The State Bureau of Investigation may provide a criminal record check to the Charter
28 Schools Review Board of a member of a board of directors of a nonprofit corporation seeking
29 initial approval to establish a charter school under Article 14A of Chapter 115C of the General
30 Statutes, if the member consents to the record check. The Bureau may also provide a criminal
31 record check of a member, as defined in G.S. 115C-218.4(a), by fingerprint card to the Charter
32 Schools Review Board from the National Repositories of Criminal Histories, in accordance with
33 G.S. 115C-218.4. The information shall be kept confidential by the Charter Schools Review
34 Board as provided in G.S. 115C-218.4(e).

35 (b) ~~The Bureau may provide a criminal history record check to the board of directors of~~
36 ~~a regional school of a person who is employed at a regional school or of a person who has applied~~
37 ~~for employment at a regional school if the employee or applicant consents to the record check.~~
38 ~~The Bureau may also provide a criminal history record check of school personnel as defined in~~
39 ~~G.S. 115C-238.73 by fingerprint card to the board of directors of the regional school from the~~
40 ~~National Repositories of Criminal Histories, in accordance with G.S. 115C-238.73. The~~
41 ~~information shall be kept confidential by the board of directors of the regional school as provided~~
42 ~~in G.S. 115C-238.73.~~

43 (c) ~~The Bureau may provide a criminal history record check to the chancellor operating~~
44 ~~a University of North Carolina laboratory school of a person who is employed at a laboratory~~
45 ~~school or of a person who has applied for employment at a laboratory school if the employee or~~
46 ~~applicant consents to the record check. The Bureau may also provide a criminal history record~~
47 ~~check of school personnel, as defined in G.S. 116-239.12, by fingerprint card to the chancellor~~
48 ~~operating the laboratory school from the National Repositories of Criminal Histories, in~~
49 ~~accordance with G.S. 116-239.12. The information shall be kept confidential by the chancellor~~
50 ~~operating the laboratory school as provided in G.S. 116-239.12.~~

(d) The Bureau may provide a criminal record check to the employer of a person who is employed in a nonpublic school or of a person who has applied for employment in a nonpublic school, if the employee or applicant consents to the record check. For purposes of this subsection, the term nonpublic school is one that is subject to the provisions of Article 39 of Chapter 115C of the General Statutes, but does not include a home school as defined in that Article.

(e) The Bureau shall charge a reasonable fee for conducting a criminal record check under this section. The fee shall not exceed the actual cost of locating, editing, researching, and retrieving the information.

(f) The Bureau may provide a criminal record check to the schools within the Department of Health and Human Services of a person who is employed, applies for employment, or applies to be selected as a volunteer, if the employee or applicant consents to the record check. The Department of Health and Human Services shall keep all information pursuant to this subsection confidential, as provided in Article 7 of Chapter 126 of the General Statutes.

(g) The Bureau shall adopt rules to implement this section."

SECTION 2.(l) Section 7.72(c) of S.L. 2021-180 reads as rewritten:

"SECTION 7.72.(c) Flexibility for Teachers. – Notwithstanding any other provision of law, in addition to the authority provided to a local board of education to employ adjunct instructors in career and technical education career clusters pursuant to G.S. 115C-157.1, the local school administrative unit shall have the flexibility to contract with individuals who have education and training related to the specific skills and career pathways that are the focus of a signature career academy. Any individual who has direct contact with students pursuant to the authority provided by this subsection shall be subject to a criminal history check to ensure that the person has not been convicted of any crime listed in ~~G.S. 115C-332~~. G.S. 115C-77."

SECTION 2.(m) This section applies to applications for school personnel positions that are received on or after January 1, 2026.

PART II-A. MODIFY REPORTING REQUIREMENTS FOR MISCONDUCT BY SCHOOL EMPLOYEES

SECTION 2A.(a) G.S. 115C-326.20 reads as rewritten:

"§ 115C-326.20. Reporting misconduct of licensed school employees.

(a) For the purposes of this section, "misconduct" includes any of the following:

(1) Conduct that justifies automatic revocation of a license under G.S. 115C-270.35(b).

(2) The infliction of a physical injury against a child other than by accident or in self-defense.

(3) The intentional infliction of emotional distress against a child.

(b) Any superintendent, assistant superintendent, associate superintendent, personnel administrator, or principal who knows, has reason to believe, or has actual notice of a complaint or criminal allegation that an employee licensed under Article 17E of this Chapter has engaged in misconduct resulting in ~~dismissal, disciplinary action, or resignation~~ dismissal or disciplinary action shall report the misconduct to the State Board of Education within five days of ~~dismissal, determination of disciplinary action, or acceptance of resignation. If the employee resigns within 30 days of a complaint for misconduct or during an ongoing investigation of a complaint, the misconduct is presumed to have resulted in the resignation. Failure to report misconduct pursuant to this section is a Class I felony.~~ dismissal or determination of disciplinary action.

(b1) Any superintendent, assistant superintendent, associate superintendent, personnel administrator, or principal who knows, has reason to believe, or has actual notice of a complaint or criminal allegation that an employee licensed under Article 17E of this Chapter has engaged in misconduct resulting in resignation shall report the misconduct to the State Board of Education within five days of (i) acceptance of the resignation or (ii) notice of the complaint or criminal

allegation, whichever is later. The misconduct is presumed to have resulted in the resignation if any of the following apply:

(1) The employee resigns within 30 days prior to or following a complaint or criminal allegation of misconduct.

(2) The employee resigns during an ongoing investigation of a complaint or criminal allegation.

(b2) Failure to report misconduct pursuant to subsections (b) and (b1) of this section is a Class I felony.

(c) School personnel shall not threaten, harass, or retaliate against any other person for making a report as required by this section.

(d) Except as provided in subsection (e) of this section, a law enforcement agency shall report alleged misconduct to the superintendent or equivalent authority of a public school unit within 30 days of receipt of a report that an employee of the governing body of the public school unit has engaged in misconduct that meets at least one of the following:

(1) The misconduct is alleged to have been committed against a student of the public school unit.

(2) The misconduct is alleged to have been committed on the educational property, as defined in G.S. 14-269.2(a), of the public school unit.

(e) For any misconduct reported to a law enforcement agency that (i) would be required to be reported to the superintendent or equivalent authority of a public school unit pursuant to subsection (d) of this section and (ii) is alleged to have been committed by the superintendent or equivalent authority of the public school unit, the law enforcement agency shall report the alleged misconduct to the Superintendent of Public Instruction."

SECTION 2A.(b) This section becomes effective December 1, 2025, and applies to offenses committed on or after that date.

PART II-B. STRENGTHEN REPORTING REQUIREMENTS FOR THREATS AND ASSAULTS ON TEACHERS

SECTION 2B.(a) G.S. 115C-288(g) reads as rewritten:

"(g) To Report Certain Acts to Law Enforcement and the Superintendent. – When the principal has personal knowledge or actual notice from school personnel that an act has occurred on school property involving ~~assault resulting in serious personal injury~~, a threat directed at a teacher, assault, 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.

Notwithstanding any other provision of law, the State Board of Education shall not require the principal to report to law enforcement acts in addition to those required to be reported by law.

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.

The principal or the principal's designee shall notify the superintendent or the superintendent's designee in writing or by electronic mail regarding any report made to law enforcement under this subsection. This notification shall occur by the end of the workday in which the incident occurred when reasonably possible but not later than the end of the following workday. The superintendent shall provide the information to the local board of education.

Nothing in this subsection shall be interpreted to interfere with the due process rights of school employees or the privacy rights of students. For a child with a relevant disability, the principal has the discretion to determine whether (i) a threat or (ii) assault that does not result in personal injury is reported to law enforcement. For the purposes of this subsection, a child with

a relevant disability is a child with an individualized education program, as defined in G.S. 115C-106.3, who is identified as having one or more of the following:

- (1) Intellectual disability.
- (2) Serious emotional disturbance.
- (3) Developmental delay.
- (4) Autism spectrum disorder.
- (5) Other health impairment."

SECTION 2B.(b) G.S. 115C-289.1(a) reads as rewritten:

"(a) When a supervisor of a school employee has actual notice that the school employee has received a threat from a student or has been the victim of an assault by a student in violation of ~~G.S. 14-33(c)(6) resulting in physical injury, as that term is defined in G.S. 14-34.7,~~ G.S. 14-33(c)(6), the supervisor shall immediately report to the principal the threat or assault against the school employee. For the purpose of this subsection, the term "supervisor of a school employee" does not include the principal or superintendent."

SECTION 2B.(c) G.S. 115C-150.12C(29) reads as rewritten:

"(29) ~~Parental notification of certain acts~~ Acts reported to law enforcement. – A board of trustees shall adopt ~~a rule on the notification rules~~ for the following:

- a. Notification to parents of any students alleged to be victims of any act that is required to be reported to law enforcement and the superintendent under G.S. 115C-288(g).
- b. Requiring a principal, or equivalent authority, to report acts to law enforcement in accordance with G.S. 115C-288(g).
- c. Requiring school employee supervisors to report acts to the principal, or equivalent authority, in accordance with G.S. 115C-289.1(a)."

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

"(p) Acts Reported to Law Enforcement. – A charter school shall require a principal, or equivalent authority, to report acts to law enforcement in accordance with G.S. 115C-288(g) and shall require school employee supervisors to report acts to the principal, or equivalent authority, in accordance with G.S. 115C-289.1(a)."

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

"(23) Acts reported to law enforcement. – A regional school shall require a principal, or equivalent authority, to report acts to law enforcement in accordance with G.S. 115C-288(g) and shall require school employee supervisors to report acts to the principal, or equivalent authority, in accordance with G.S. 115C-289.1(a)."

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

"(26) A laboratory school shall require a principal, or equivalent authority, to report acts to law enforcement in accordance with G.S. 115C-288(g) and shall require school employee supervisors to report acts to the principal, or equivalent authority, in accordance with G.S. 115C-289.1(a)."

SECTION 2B.(g) This section is effective when it becomes law and applies to incidents or reports occurring on or after that date.

PART III. ALIGN LICENSURE SYSTEM WITH MULTISTATE EDUCATOR LOOKUP SYSTEM

SECTION 3. The State Board of Education is encouraged to work toward programming the licensure system to align with the Multistate Educator Lookup System established by the National Association of State Directors of Teacher Education and Certification to enable electronic validation of out-of-state credentials and related information.

1
2 **PART IV. EFFECTIVE DATE**

3 **SECTION 4.** Except as otherwise provided, this act is effective when it becomes
4 law.