



SENATE BILL 867: Protect Students in Schools.

2016-2017 General Assembly

Committee: House Finance	Date: July 1, 2016
Introduced by: Sens. Barefoot, Wade, Newton	Prepared by: Kara McCraw
Analysis of: Fifth Edition	Committee Co-Counsel

SUMMARY: *Senate Bill 867 would authorize the State Board of Education, local boards of education, regional school boards of directors, and charter school boards of directors to require an applicant for teacher licensure or personnel position to be checked for a criminal history.*

CURRENT LAW: G.S. 115C-296 does not provide the State Board of Education authority to require applicants for licensure to be checked for a criminal history.

G.S. 115C-332 requires that local school boards and regional school boards of directors adopt a policy on whether and under what circumstances an applicant for a school personnel position is to be checked for a criminal history. Charter school boards of directors must adopt the policy of the local school administrative unit in which the charter school is located. Applicants do not have to pay for a criminal history check if warranted under local school board policy.

BILL ANALYSIS: Section 1 would require the State Board of Education to require all applicants for licensure to be checked for a criminal history against the State and National Repositories of Criminal Histories. The bill would also permit the State Board of Education to charge the applicant for the criminal history check a fee in the amount up to, but not exceeding, the cost of providing the service. Additionally, the bill would require that applicants for licensure renewal be checked for a criminal history upon application for renewal.

Section 2 would also mandate local boards of education, regional school boards of directors, and charter school boards of directors, to require applicants for school personnel positions to be checked for a criminal history by using either the Department of Public Safety to check the State and National Repositories of Criminal History or a consumer reporting agency who must search local, state, and federal criminal repositories. Boards would be authorized to charge applicants for the cost of providing the service. Local boards of education, regional school boards of directors, and charter school boards of directors would be authorized to request the most criminal history check from the State Board of Education for applicants who are licensed. Boards would be permitted to conduct period criminal history checks of employees, but would not be permitted to require employees to pay for those checks.

Section 3 would require members of boards of directors of nonprofits seeking an initial charter to be checked for a criminal history against the State and National Repositories of Criminal Histories. The bill would authorize the Department of Public Safety to provide State and National criminal histories to the State Board of Education and board of directors of charter schools.

Section 4 would require the State Board of education to create a database for high school middle school personnel to report catastrophic illnesses, injuries, and concussions occurring during high schools athletics involving student athletes.

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Section 5 would require the State of the Teaching Profession in North Carolina report to be submitted December 1, 2016, and annually thereafter, and would prohibit the report from being released publically before November 15 of each year.

Section 6 would amend G.S. 160A-417(a2) to eliminate low voltage building permit requirements for the construction, installation, repair, replacement, or alteration of passive optical networks.

Section 7 would amend a provision related to the fast-track charter school application process to require these fast-track applications to be decided by the State Board of Education within 120 days of the date of submission.

Section 8 would allow high school students involved in the federal Investing in Innovation grant program to be enrolled in community college courses using non-State funds.

EFFECTIVE DATE: Except as otherwise provided, the bill would become effective when it becomes law. Section 1 would apply to applications for licensure received on or after October 1, 2016. Section 2 would apply to applications for employment received on or after January 1, 2017. Section 3 would apply to applications for initial charters received on or after October 1, 2016. Reports under Section 4 would apply beginning January 1, 2017.