



SENATE BILL 867: Protect Students in Schools.

2016-2017 General Assembly

Committee:	Senate Education/Higher Education. If favorable, re-refer to Judiciary I	Date:	May 24, 2016
Introduced by:	Sens. Barefoot, Wade, Newton	Prepared by:	Kara McCraw Committee Co-Counsel Grace Sykes LAD Extern
Analysis of:	PCS to First Edition S867-CSTC-74		

SUMMARY: SB 867 authorizes the State Board of Education to require applicants for teacher licensure to be checked for a criminal history in the State and National Repositories of Criminal Histories. Each applicant for licensure would be required to be checked for a criminal history.

The Proposed Committee Substitute (PCS) for SB 867 would also mandate each local board of education, regional school board of directors, and charter school board of directors require an applicant for a school personnel position to be checked for a criminal history in the State and National Repositories of 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: The PCS for SB 867 would allow 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 PCS would require that applicants for licensure renewal to be checked for a criminal history upon application for renewal.

The PCS 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 in the State and National Repositories of Criminal History. However, applicants to a local board of education position who were licensed in the last 6 months prior to employment would not be required to have a new criminal history check. The PCS allows local school boards to charge applicants for the cost of providing the service.

Finally, the PCS authorizes 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.

The remainder of the PCS makes conforming changes.

EFFECTIVE DATE: The bill would become effective when it becomes law and applies to all applications for licensure received 60 days on or after that date.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578