

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 778
Education/Higher Education Committee Substitute Adopted 4/25/01

Short Title: Criminal History Checks of School Employees.

(Public)

Sponsors:

Referred to:

April 3, 2001

A BILL TO BE ENTITLED

1 AN ACT TO MODIFY THE LAW REGARDING CRIMINAL HISTORY CHECKS
2 OF APPLICANTS FOR EMPLOYMENT IN PUBLIC SCHOOLS. .

3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** G.S. 115C-332 reads as rewritten:

5 "**§ 115C-332. School personnel criminal history checks.**

6 ...

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8 (d) The local board of education shall review the criminal history it receives on a
9 person. The local board shall determine whether the results of the review indicate that
10 the applicant or employee (i) poses a threat to the physical safety of students or
11 personnel, or (ii) has demonstrated that he or she does not have the integrity or honesty
12 to fulfill his or her duties as public school personnel and shall use the information when
13 making employment decisions and decisions with regard to independent contractors.
14 The local board shall make written findings with regard to how it used the information
15 when making employment decisions and decisions with regard to independent
16 contractors. The local board may delegate any of the duties in this subsection to the
17 superintendent.

18 (e) The local board of ~~education~~ education, or the superintendent if designated by
19 the local board of education, shall provide to the State Board of Education the criminal
20 history it receives on a person who is certificated, certified, or licensed by the State
21 Board of Education. The State Board of Education shall review the criminal history and
22 determine whether the person's certificate or license should be revoked in accordance
23 with State laws and rules regarding revocation.

24 ...

25 (h) Any applicant for employment who willfully furnishes, supplies, or otherwise
26 gives false information on an employment application that is the basis for a criminal
27 history record check under this section shall be guilty of a Class A1 misdemeanor."

28 **SECTION 2.** G.S. 115C-325(a)(8) reads as rewritten:

1 "(a) Definition of Terms. – As used in this section unless the context requires
2 otherwise:

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 ...

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 (8) "Year" for purposes of computing time as a probationary teacher shall
5 be not less than 120 workdays performed as a probationary teacher in a
6 full-time permanent position in a school year. Workdays performed
7 pending the outcome of a criminal history check as provided in G.S.
8 115C-322 are included in computing time as a probationary teacher."

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SECTION 3. This act is effective when it becomes law.