

April 12, 2001

H 1134. DISCIPLINARY ACTION/THREATS OF SCHOOL VIOLENCE. *TO PUNISH STUDENTS WHO CONSPIRE OR THREATEN TO CAUSE VIOLENCE AT SCHOOL, TO CREATE A LEGAL DUTY TO REPORT THREATS OF SCHOOL VIOLENCE, TO INCREASE THE CRIMINAL PENALTY FOR CERTAIN CRIMINAL OFFENSES COMMITTED WITH THE INTENT OF INTIMIDATING OR RETALIATING AGAINST A PERSON WHO DOES REPORT A THREAT OF SCHOOL VIOLENCE, AND TO GRANT IMMUNITY FROM CRIMINAL PROSECUTION TO ANYONE WHO REPORTS A THREAT OF SCHOOL VIOLENCE.* Amends GS 115C-391(d3) to require local school boards to suspend for at least 30 days or to expel any student who threatens or conspires to cause injury to persons or property at school or school-sponsored events. Also applies to student who knows about but does not report a plan to do the same. Creates GS 14-285.1 to require a person who has good cause to suspect another person may commit an act of school violence to report that suspicion to an appropriate school authority and makes intentional failure to make such a report a Class 3 misdemeanor. Enacts GS 14-3.2 to establish criminal offense for retaliation against those reporting potential acts of school violence. If a Class 2 or 3 misdemeanor is committed in retaliation, the offender is guilty of a Class 1 misdemeanor; if a Class A1 or 1 misdemeanor is committed, the offender is guilty of a Class I felony. Enacts GS 15A-1056 to grant immunity to persons reporting potential act of school violence. The provisions on criminal offenses become effect Dec. 1, 2001, and apply to offenses committed on or after that date; the balance of the act is effective when it becomes law and applies beginning with the 2001-02 school year.

Intro. by Davis.

Ref. to Education	GS 14, 15A, 115C
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April 23, 2001

H 1134. DISCIPLINARY ACTION/THREATS OF SCHOOL VIOLENCE. Intro. 4/12/01. House committee substitute makes technical changes to 1st edition.

July 19, 2001

H 1134. MUST REPORT THREATS OF SCHOOL VIOLENCE. Intro. 4/12/01. Senate committee substitute makes the following changes to 2nd edition. Changes title to *AN ACT TO CREATE A LEGAL DUTY TO REPORT THREATS OF SCHOOL VIOLENCE, TO PROVIDE THAT IDENTITY INFORMATION OF A PERSON WHO REPORTS A POTENTIAL THREAT IS CONFIDENTIAL, TO INCREASE THE CRIMINAL PENALTY FOR CERTAIN CRIMINAL OFFENSES COMMITTED WITH THE INTENT OF INTIMIDATING OR RETALIATING AGAINST A PERSON WHO DOES REPORT A THREAT OF SCHOOL VIOLENCE, TO AUTHORIZE THE LRC TO STUDY WHETHER TO GRANT IMMUNITY FROM CRIMINAL PROSECUTION TO ANYONE WHO REPORTS A THREAT OF SCHOOL VIOLENCE AND OTHER ISSUES RELATED TO SCHOOL VIOLENCE, AND TO APPROPRIATE FUNDS FOR THE STUDY.* Deletes provisions in original bill concerning the punishment by the local board of education of a student who threatens school violence, and deletes provisions granting immunity to persons who report potential acts of school violence. Adds requirement that local boards of education inform students and parents of the legal duty to report potential acts of school violence, beginning with the 2001-2002 school year. Also adds provisions that the name and other identifying information of a person reporting potential violence is confidential and subject to disclosure only to appropriate school authorities, law enforcement, appropriate medical agencies, a magistrate who issues a warrant, and when required in court proceedings. Authorizes the Legislative Research Comm'n to study the issue of school violence and the creation of the legal duty to report potential violent acts. The Comm'n may issue a report on the progress of the study during the 2002 Regular Session of the General Assembly and issue a final report in 2003. Appropriates \$30,000 from the General Fund to the General Assembly for fiscal 2001-2002 to implement the study. Provisions regarding LRC study are effective July 1, 2001.