GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2001

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HOUSE BILL 1087 Committee Substitute Favorable 4/24/01

Short Title: So	chool Volunteer Records Are Confidential.	(Public)
Sponsors:		
Referred to:		
	April 11, 2001	
	A BILL TO BE ENTITLED	
AN ACT TO M	AKE VOLUNTEER FILES MAINTAINED BY LOCAL	BOARDS OF
EDUCATIO	N PRIVATE.	
The General As	sembly of North Carolina enacts:	
SEC	FION 1. Article 13 of Chapter 115C of the General Statut	es is amended
by adding a new	v section to read:	
	Confidentiality of certain volunteer records.	
	ecords of a local school administrative unit regarding volu	
	persons applying to be volunteers are confidential and	
_	ided in Chapter 132 of the General Statutes. These records	shall be open
for inspection o	nly to the following persons:	
<u>(1)</u>	The volunteer, former volunteer, person who applied to l	
	or that person's properly authorized agent who may	examine the
	person's file in its entirety at any reasonable time;	
<u>(2)</u>	The superintendent and other supervisory personnel;	
<u>(3)</u>	The parent or guardian of any student with whom the vo	olunteer has or
	had contact;	_
<u>(4)</u>	Members of the local board of education and the board's	
<u>(5)</u>	A party, by authority of a subpoena or proper court ord	
	extent authorized by and in accordance with that subp	oena or court
	order.	
	cal board of education may also release or permit the in	_
	, prior to the release of the information or inspection of the	file, the local
board of educat		
<u>(1)</u>	Determines that the release of the information or inspec	
	is essential (i) to maintaining the integrity of the le	
	education or (ii) to maintaining the level or qualit	y of services
	provided by the local board of education; and	

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<u>(2)</u>	Prepares a memorandum setting forth the local board's reasons for
	releasing the records or permitting the inspection of the files. This
	memorandum shall be retained in the files of the superintendent and
	shall be a public record.

- (c) As used in this section, a volunteer is a person who provides services to a local board of education without expectation of compensation and with the understanding that the local board of education is under no obligation to continue accepting those services or to compensate the volunteer for them.
- (d) This section shall not be construed to require a local school administrative unit to maintain records on volunteers, former volunteers, or persons applying to be volunteers, except where there is evidence of volunteer misconduct."

SECTION 2. This act is effective when it becomes law.