



NORTH CAROLINA STATE BOARD OF EDUCATION

Teacher Background Checks in North Carolina

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N.C.G.S. § 115C-332

Current NC Law Requires Criminal Background Check Policies by Local Boards of Education (Employer)

1. Requires local boards of education to have background check policies.
2. Prohibits local boards of education from charging the teacher for background checks.



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2016 National and Local Media Reports:

USA Today Article February 14, 2016

<http://www.usatoday.com/story/opinion/2016/02/22/teachers-background-checks-misconduct-editorials-debates/80582188/>

Asheville-Citizen Times

<http://www.usatoday.com/story/news/2016/02/13/nc-gets-an-f-on-spotting-problem-teachers/80292170/>

Charlotte NBC Affiliate

<http://www.wncn.com/news/local/cms-teacher-may-lose-license-after-wncn-investigation/95012830>



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CONCERNS IDENTIFIED

- 1. Fingerprint Criminal Background Checks Not Conducted by State Prior to Issuing License*
- 2. Local Criminal Background Check Policies for Employees Vary From District to District*
- 3. Limited Information Sharing with Other States Regarding Licensure Discipline Actions Taken (NASDTEC access for districts)*



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7 states receive high marks in the national survey:

Alabama

Hawaii

North Dakota

Ohio

Oregon

South Carolina

Vermont

The single, common characteristic is a statewide requirement for the state to conduct fingerprint criminal background checks for applicants.



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REQUIRED SELF-REPORTING FOR NC LICENSURE

Currently, a licensure applicant must answer 2 questions about the applicant's past:

1. Have you ever been convicted of a crime other than a minor traffic offense?
2. Have you ever had a license suspended or revoked in another state?



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PROPOSED CHANGES TO NC LAW

1. Provide the State Board of Education with the authority to conduct fingerprint criminal background checks.
2. Once authorized, the SBE would require an agreement with the SBI clearly outlining the purposes for which the background check results will be used.

Requires:

Legislative and Policy Changes

Fingerprinting Fee (\$50)

Additional Staffing Resources



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Sample Fingerprint Criminal Background Check Legislation

NC Board of Nursing N.C.G.S. § 90-171.48(b):

“All applicants for licensure shall consent to a criminal history record check. Refusal to consent to a criminal history record check may constitute grounds for the Board to deny licensure to an applicant. The Board shall ensure that the State and national criminal history of an applicant applying for initial licensure as a registered nurse ...is checked. ...The Board shall be responsible for providing to the North Carolina Department of Public Safety the fingerprints of the applicant to be checked, a form signed by the applicant consenting to the criminal record check and the use of fingerprints and other identifying information required The Board shall keep all information obtained pursuant to this section confidential.”



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Links to Other Resources:

1. Teacher Ethics and Licensure Task Force Report

<http://www.dpi.state.nc.us/docs/newsroom/news/2009-10/0310/taskforce-report.pdf>

2. Teacher License Disciplinary Actions in NC

<http://stateboard.ncpublicschools.gov/legal-affairs/disciplinary-process/revoked-license>

3. National Clearinghouse - NASDTEC

<http://www.nasdtec.org>