A BILL TO BE ENTITLED

AN ACT TO REQUIRE CRIMINAL BACKGROUND CHECKS FOR TEACHER LICENSURE
AND SCHOOL PERSONNEL EMPLOYMENT AND FOR BOARD MEMBERS OF
NONPROFITS SEEKING INITIAL APPROVAL TO ESTABLISH A CHARITER SCHOOL;
REQUIRE THAT THE STATE BOARD OF EDUCATION CREATE A DATABASE FOR
CERTAIN SCHOOL PERSONNEL TO REPORT CATASTROPHIC ILLNESSES AND
INJURIES AND CONCUSSIONS INVOLVING STUDENT ATHLETES; CHANGE THE
REPORTING DATE FOR REPORT ON THE STATE OF THE TEACHING PROFESSION;
ELIMINATE LOW VOLTAGE BUILDING PERMIT REQUIREMENTS FOR PASSIVE
OPTICAL NETWORKS; ENCOURAGE PARTNERSHIPS FOR DIGITAL LEARNING;
REQUIRE THE STATE BOARD OF EDUCATION TO MAKE FAST TRACK CHARTER
SCHOOL REPLICA TION DECISIONS WITHIN ONE HUNDRED TWENTY DAYS; AND
PROVIDE FOR ENROLLMENT OF CERTAIN HIGH SCHOOL STUDENTS IN
COMMUNITY COLLEGE COURSES.

The General Assembly of North Carolina enacts:

SECTION 1. (a) G.S. 115C-296 reads as rewritten:

"§ 115C-296. Board sets licensure requirements; reports; lateral entry and mentor
programs.

(a) The State Board of Education shall have entire control of licensing all applicants for
teaching positions in all public schools of North Carolina; and it shall prescribe the rules and
regulations for the renewal and extension of all licenses and shall determine and fix the salary for
each grade and type of license which it authorizes.

The State Board of Education shall require an applicant for an initial bachelors degree license
or graduate degree license to demonstrate the applicant's academic and professional preparation by
achieving a prescribed minimum score on a standard examination appropriate and adequate for
that purpose. Elementary education (K-6) and special education general curriculum teachers shall
also achieve a prescribed minimum score on subtests or standard examinations specific to teaching
reading and mathematics. The State Board of Education shall permit an applicant to fulfill any
such testing requirement before or during the applicant's second year of teaching provided the
applicant took the examination at least once during the first year of teaching. The State Board of
Education shall make any required standard initial licensure exam rigorous and raise the
prescribed minimum score as necessary to ensure that each applicant has received high-quality
academic and professional preparation to teach effectively.
The State Board of Education shall require all applicants for licensure in the State to be checked for a criminal history, as provided in G.S. 115C-297.1.

(a1) The State Board shall adopt policies that establish the minimum scores for any required standard examinations and other measures necessary to assess the qualifications of professional personnel as required under subsection (a) of this section. For purposes of this subsection, the State Board shall not be subject to Article 2A of Chapter 150B of the General Statutes. At least 30 days prior to changing any policy adopted under this subsection, the State Board shall provide written notice to all North Carolina schools of education and to all local boards of education. The written notice shall include the proposed revised policy.

(a2) The State Board of Education shall establish a schedule of fees for teacher licensure and administrative changes. The fees established under this subsection shall not exceed the actual cost of providing the service. The schedule may include fees for any of the following services:

(1) Application for demographic or administrative changes to a license.
(2) Application for a duplicate license or for copies of documents in the licensure files.
(3) Application for a renewal, extension, addition, upgrade, reinstatement, and variation to a license.
(4) Initial application for a New, In-State Approved Program Graduate.
(5) Initial application for an Out-of-State license.
(6) All other applications.
(7) Criminal history check.

An applicant must pay any nonrefundable service fees at the time an application is submitted.

SECTION 1.(b) Article 20 of Chapter 115C of the General Statutes is amended by adding a new section to read:

"§ 115C-297.1. School personnel criminal history checks.

(a) As used in this section, the following terms are defined:

(1) Applicant. – An individual who submits an application for licensure as provided in G.S. 115C-296, including initial applications, renewal applications, and applications for licensure reinstatement.

(2) Criminal history. – A county, state, or federal criminal history of conviction of, or a plea of nolo contendere to, a crime, whether a misdemeanor or a felony, that indicates the applicant (i) poses a threat to the physical safety of students or personnel, (ii) has demonstrated that he or she does not have the integrity or honesty to fulfill his or her duties as public school personnel, or (iii) otherwise fails to meet the standards and criteria adopted by the State Board of Education governing ethics and moral character required for professional educators. Such crimes include the following North Carolina crimes contained in any of the following Articles of Chapter 14 of the General Statutes: Article 5A, Endangering Executive and Legislative Officers; Article 6, Homicide; Article 7B, Rape and Kindred Offenses; Article 8, Assaults; Article 10, Kidnapping and Abduction; Article 13, Malicious Injury or Damage by Use of Explosive or Incendiary Device or Material; Article 14, Burglary and Other Housebreakings; Article 15, Arson and Other Burning; Article 16, Larceny; Article 17, Robbery; Article 18, Embezzlement; Article 19, False Pretense and Cheats; Article 19A, Obtaining Property or Services by False or Fraudulent Use of Credit Device or Other Means; Article 20, Frauds; Article 21, Forgery; Article 26, Offenses Against Public Morality and Decency; Article 26A, Adult Establishments; Article 27, Prostitution; Article 28, Perjury; Article 29, Bribery; Article 31, Misconduct in Public Office; Article 35, Offenses Against the Public Peace; Article 36A, Riots, Civil Disorders, and Emergencies; Article
(b) The State Board of Education shall require applicants to be checked for a criminal history before the applicant is issued an unconditional license. The State Board of Education may license an applicant conditionally while the Board is checking the person's criminal history and making a decision based on the results of the check. The State Board of Education shall require an applicant to pay for the criminal history check authorized under this subsection, but a local board of education, regional board of directors, or charter board of directors may pay for the criminal history check on behalf of the applicant.

(c) The Department of Public Safety shall provide to the State Board of Education the criminal history from the State and National Repositories of Criminal Histories of any applicant for licensure. The State Board of Education shall require the person to be checked by the Department of Public Safety to (i) be fingerprinted and to provide any additional information required by the Department of Public Safety to a person designated by the State Board of Education and (ii) sign a form consenting to the check of the criminal record and to the use of fingerprints and other identifying information required by the repositories. The State Board of Education shall not issue a license to an individual who refuses to consent to a criminal history check.

(d) The State Board of Education shall review the criminal history it receives on a person. The State Board of Education shall determine whether the results of the review indicate that the applicant (i) poses a threat to the physical safety of students or personnel, (ii) has demonstrated that he or she does not have the integrity or honesty to fulfill his or her duties as public school personnel, or (iii) otherwise fails to meet the standards and criteria adopted by the State Board of Education governing ethics and moral character required for professional educators and shall use the information when making licensure decisions. If the State Board of Education denies an applicant based on its review of the criminal history it receives, the State Board of Education shall make written findings with regard to how it used the information when making licensure decisions.

(e) During the period of licensure, the State Board of Education may provide upon request the criminal history it receives on a person to a local board of education, regional board of directors, or charter board of directors considering employment of that individual.

(f) All the information received by the State Board of Education through the checking of the criminal history in accordance with this section is privileged information and is not a public record but is for the exclusive and confidential use of the State Board of Education and a local board of education, regional board of directors, or charter board of directors considering employment of an individual granted licensure. The State Board of Education may destroy the information after it is used for the purposes authorized by this section after the licensure of the individual has ended or has been renewed. The local board of education, regional board of directors, or charter board of directors may destroy the information after it is used for the purposes authorized by this section after one calendar year.

(g) There shall be no liability for negligence on the part of the State Board of Education, or its employees, arising from any act taken or omission by any of them in carrying out the provisions of this section. The immunity established by this subsection shall not extend to gross negligence, wanton conduct, or intentional wrongdoing that would otherwise be actionable. The immunity established by this subsection shall be deemed to have been waived to the extent of
indemnification by insurance, indemnification under Articles 31A and 31B of Chapter 143 of the General Statutes, and to the extent sovereign immunity is waived under the Tort Claims Act, as set forth in Article 31 of Chapter 143 of the General Statutes.

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

SECTION 1.(c) Article 13 of Chapter 143B of the General Statutes is amended by adding a new section to read:

"§ 143B-931.1. Criminal background checks for applications for teacher licenses and members of boards of directors of nonprofits seeking initial approval of charters.

The Department of Public Safety may provide to the State Board of Education from the State and National Repositories of Criminal Histories the criminal history of (i) any applicant for licensure for a teaching position under Article 20 of Chapter 115C of the General Statutes or (ii) the member of a board of directors of a nonprofit seeking initial approval to establish a charter school under Article 14A of Chapter 115C of the General Statutes. Along with the request, the board shall provide to the Department of Public Safety the fingerprints of the applicant or member, a form signed by the applicant or member consenting to the criminal record check and use of fingerprints and other identifying information required by the State and National Repositories of Criminal Histories, and any additional information required by the Department of Public Safety. The applicant or member's fingerprints shall be forwarded to the State Bureau of Investigation for a search of the State's criminal history record file, and the State Bureau of Investigation shall forward a set of fingerprints to the Federal Bureau of Investigation for a national criminal history record check. The State Board of Education shall keep all information obtained pursuant to this section confidential. The Department of Public Safety may charge a fee to offset the cost incurred by it to conduct a criminal record check under this section. The fee shall not exceed the actual cost of locating, editing, researching, and retrieving the information."

SECTION 1.(d) The State Board of Education is encouraged to work towards programming of the licensure system to align with the Multistate Educator Lookup System established by the National Association of State Directors of Teacher Education and Certification to enable electronic validation of out-of-state credentials and related information.

SECTION 2.(a) G.S. 115C-218.90(b) reads as rewritten:

"(b) Criminal History Checks.

(1) If the local board of education of the local school administrative unit in which a charter school is located has adopted a policy requiring criminal history checks under G.S. 115C-332, then the board of directors of each charter school located in that local school administrative unit shall adopt a policy mirroring the local board of education policy that requires an applicant for employment to be checked for a criminal history, as defined provided in G.S. 115C-332. Each charter school board of directors shall apply its policy uniformly in requiring applicants for employment to be checked for a criminal history before the applicant is given an unconditional job offer. A charter school board of directors may employ an applicant conditionally while the board is checking the person's criminal history and making a decision based on the results of the check.

(1a) The charter board of directors shall uniformly require applicants to be checked for a criminal history either by a consumer reporting agency, the Department of Public Safety, or both. If the charter board of directors requires a criminal history check by the Department of Public Safety, the charter school board of directors shall require the person to be checked (i) to be fingerprinted and to provide any additional information required by the Department of Public Safety to a person designated by the board of directors or to the local sheriff or the
municipal police, whichever is more convenient for the person, and (ii) to sign a form consenting to the check of the criminal record and to the use of fingerprints and other identifying information required by the repositories. The board of directors shall not employ or contract with individuals who refuse to consent to a criminal history check. The fingerprints of the individual shall be forwarded to the State Bureau of Investigation for a search of the State criminal history record file, and the State Bureau of Investigation shall forward a set of fingerprints to the Federal Bureau of Investigation for a national criminal history record check. The Department of Public Safety shall provide to the charter school board of directors the criminal history from the State and National Repositories of Criminal Histories of the school personnel for which the charter school board of directors requires a criminal history record check.

(2) There shall be no liability for negligence on the part of the State Board of Education or the board of directors of the charter school, or their employees, arising from any act taken or omission by any of them in carrying out the provisions of this subsection. The immunity established by this subsection shall not extend to gross negligence, wanton conduct, or intentional wrongdoing that would otherwise be actionable. The immunity established by this subsection shall be deemed to have been waived to the extent of indemnification by insurance, indemnification under Articles 31A and 31B of Chapter 143 of the General Statutes, and to the extent sovereign immunity is waived under the Tort Claims Act, as set forth in Article 31 of Chapter 143 of the General Statutes.

(3) All the information received by the charter school board of directors through the checking of the criminal history or by the State Board of Education in accordance with this section is privileged information and is not a public record but is for the exclusive use of the charter school board of directors, appropriate officers of the charter school as permitted by federal law, or the State Board of Education. The charter school board of directors or the State Board of Education may destroy the information after it is used for the purposes authorized by this section after one calendar year."

SECTION 2.(b) G.S. 115C-238.73 reads as rewritten:

"§ 115C-238.73. Criminal history record checks.

(a) As used in this section:

(1a) Consumer reporting agency. – An entity which, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information on consumers, including criminal history checks, for the purpose of furnishing consumer reports to third parties, and which uses any means or facility of interstate commerce for the purpose of preparing or furnishing consumer reports, and which is regulated as provided in 15 U.S.C. § 1681 et. seq. A criminal history check by a consumer reporting agency provided for purposes of this section must include all of the following:

(a) A search of the state criminal registry or repository in which the applicant resides.

(b) A multistate/multijurisdiction database search which includes a follow-up search at the originating source for any information returned by the database search and which confirms final disposition information of the same.

(c) A search of records obtained from county, state, and federal criminal repositories where the individual resides and has previously resided."
A search of the National Sex Offender Registry established as provided in 42 U.S.C. § 16919.

(b) The board of directors shall adopt a policy on whether and under what circumstances school personnel shall be required to be checked for a criminal history. The board of directors shall apply its policy uniformly in requiring applicants for school personnel positions to be checked for a criminal history. The board of directors may grant conditional approval of an application while the board of directors is checking a person's criminal history and making a decision based on the results of the check. The board of directors may request the criminal history check completed for licensure purposes from the State Board of Education as provided in G.S. 115C-297.1(e) for any applicant holding a license.

The board of directors shall not require school personnel applicants to pay for the criminal history record check authorized under this section.

(c) The regional board of directors shall uniformly require applicants to be checked for a criminal history either by a consumer reporting agency, the Department of Public Safety, or both.

The board of directors shall require the person to be checked by the Department of Public Safety (i) to be fingerprinted and to provide any additional information required by the Department of Public Safety to a person designated by the board of directors or to the local sheriff or the municipal police, whichever is more convenient for the person, and (ii) to sign a form consenting to the check of the criminal record and to the use of fingerprints and other identifying information required by the repositories. The board of directors shall consider refusal to consent when making employment decisions and decisions with regard to independent contractors. The board of directors may adopt a policy providing for periodic checks of criminal history of employees. The board may conduct a criminal history check as provided in subsection (c) of this section. Boards of directors shall not require employees to pay for the criminal history check authorized under this subsection.

SECTION 2.(c) G.S. 115C-332 reads as rewritten:

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

(a) As used in this section:

(1a) Consumer reporting agency. – An entity which, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information on consumers, including criminal history checks, for the purpose of furnishing consumer reports to third parties, and which uses any means or facility of interstate commerce for the purpose of preparing or furnishing consumer reports, and which is regulated as provided in 15 U.S.C. § 1681, et. seq."
criminal history check by a consumer reporting agency provided for purposes of this section must include all of the following:

(a) A search of the state criminal registry or repository in which the applicant resides.

(b) A multistate/multijurisdiction database search which includes a follow-up search at the originating source for any information returned by the database search and which confirms final disposition information of the same.

(c) A search of records obtained from county, state, and federal criminal repositories where the individual resides and has previously resided.

(d) A search of the National Sex Offender Registry established as provided in 42 U.S.C. § 16919.

(b) Each local board of education shall adopt a policy on whether and under what circumstances an applicant for school personnel positions shall be required to be checked for a criminal history as provided in subsection (c) of this section before the applicant is offered an unconditional job. Each local board of education shall apply its policy uniformly in requiring applicants for school personnel positions to be checked for a criminal history. A local board of education that requires a criminal history check for an applicant may require an applicant conditionally while the board is checking the person's criminal history and making a decision based on the results of the check. The local board of education may request the criminal history check completed for licensure purposes from the State Board of Education as provided in G.S. 115C-297.1(e) for any applicant holding a license.

A local board of education shall not require an applicant to pay for the criminal history check authorized under this subsection.

(c) A local board of education by policy shall uniformly require applicants to be checked for a criminal history either by a consumer reporting agency, the Department of Public Safety, or both. The Department of Public Safety shall provide to the local board of education the criminal history from the State and National Repositories of Criminal Histories of any applicant for a school personnel position in the local school administrative unit for which a local board of education requires a criminal history check. The local board of education may require the applicant to pay for the criminal history check by the Department of Public Safety, the local board of education shall require the person to be checked by the Department of Public Safety to (i) be fingerprinted and to provide any additional information required by the Department of Public Safety to a person designated by the local board, or to the local sheriff or the municipal police, whichever is more convenient for the person, and (ii) sign a form consenting to the check of the criminal record and to the use of fingerprints and other identifying information required by the repositories. The local board of education shall consider refusal to consent when making employment decisions and decisions with regard to independent contractors not employ or contract with an individual who refuses to consent to a criminal history check.

The local board of education shall not require an applicant to pay for being fingerprinted.

(i) The local board of education may adopt a policy providing for periodic checks of criminal history of employees. The local board may conduct a criminal history check as provided in subsection (c) of this section. Local boards of education shall not require employees to pay for the criminal history check authorized under this subsection.

"..."

SECTION 2.(d) G.S. 143B-931 is amended by adding a new subsection to read:

"(b1) The Department of Public Safety may provide a criminal history record check to the board of directors of a charter school of a person who is employed at a charter school or of a person who has applied for employment at a charter school if the employee or applicant consents
to the record check. The Department may also provide a criminal history record check of school personnel as defined in G.S. 115C-332 by fingerprint card to the board of directors of the charter school from the National Repositories of Criminal Histories, in accordance with G.S. 115C-218.90. The information shall be kept confidential by the board of directors of the charter school as provided in G.S. 115C-218.90."

SECTION 3.(a) G.S. 115C-218.1(b)(3) reads as rewritten:

"(3) The governance structure of the school including the names of the initial members of the board of directors of the nonprofit, tax-exempt corporation and the process to be followed by the school to ensure parental involvement. The initial members of the board of directors shall consent to a criminal history check as provided in G.S. 115C-218.115. A teacher employed by the board of directors to teach in the charter school may serve as a nonvoting member of the board of directors for the charter school.”

SECTION 3.(b) Article 14A of Chapter 115C of the General Statutes is amended by adding a new section to read:

"§ 115C-218.115. Charter board of director criminal history checks.

(a) As used in this section, the following terms are defined:

(1) Criminal history. – A county, state, or federal criminal history of conviction of, or a plea of nolo contendere to, a crime, whether a misdemeanor or a felony, that indicates the applicant (i) poses a threat to the physical safety of students or personnel, (ii) has demonstrated that he or she does not have the integrity or honesty to fulfill his or her duties as public school personnel, or (iii) otherwise fails to meet the standards and criteria adopted by the State Board of Education governing ethics and moral character required for professional educators. Such crimes include the following North Carolina crimes contained in any of the following Articles of Chapter 14 of the General Statutes: Article 5A, Endangering Executive and Legislative Officers; Article 6, Homicide; Article 7B, Rape and Kindred Offenses; Article 8, Assaults; Article 10, Kidnapping and Abduction; Article 13, Malicious Injury or Damage by Use of Explosive or Incendiary Device or Material; Article 14, Burglary and Other Housebreakings; Article 15, Arson and Other Burnings; Article 16, Larceny; Article 17, Robbery; Article 18, Embezzlement; Article 19, False Pretense and Cheats; Article 19A, Obtaining Property or Services by False or Fraudulent Use of Credit Device or Other Means; Article 20, Frauds; Article 21, Forgery; Article 26, Offenses Against Public Morality and Decency; Article 26A, Adult Establishments; Article 27, Prostitution; Article 28, Perjury; Article 29, Bribery; Article 31, Misconduct in Public Office; Article 35, Offenses Against the Public Peace; Article 36A, Riots, Civil Disorders, and Emergencies; Article 39, Protection of Minors; and Article 60, Computer-Related Crime. Such crimes also include possession or sale of drugs in violation of the North Carolina Controlled Substances Act, Article 5 of Chapter 90 of the General Statutes, and alcohol-related offenses such as sale to underage persons in violation of G.S. 18B-302 or driving while impaired in violation of G.S. 20-138.1 through G.S. 20-138.5. In addition to the North Carolina crimes listed in this subsection, such crimes also include similar crimes under federal law or under the laws of other states.

(2) Member. – An individual who is a member of the board of directors of a nonprofit seeking initial approval to establish a charter school.

(b) The State Board of Education shall require all members of the board of directors of the nonprofit to be checked for a criminal history before granting final approval of a charter application. The State Board of Education shall require a member to pay for the criminal history
check authorized under this subsection, but the nonprofit may pay for the criminal history check on behalf of the member.

(c) The Department of Public Safety shall provide to the State Board of Education the criminal history from the State and National Repositories of Criminal Histories of any member. The State Board of Education shall require the person to be checked by the Department of Public Safety to (i) be fingerprinted and to provide any additional information required by the Department of Public Safety to a person designated by the State Board of Education and (ii) sign a form consenting to the check of the criminal record and to the use of fingerprints and other identifying information required by the repositories. The State Board of Education shall not issue a charter to a nonprofit with a member who refuses to consent to a criminal history check.

(d) The State Board of Education shall review the criminal history it receives on a person and shall determine whether the results of the review indicate that the member (i) poses a threat to the physical safety of students or personnel or (ii) has demonstrated that he or she does not have the integrity or honesty to fulfill his or her duties as a member of the board of directors of a charter school. If the State Board of Education denies an application for a charter based on its review of the criminal history it receives on a member, the State Board of Education shall make written findings with regard to how it used the information when denying the application.

(e) All the information received by the State Board of Education through the checking of the criminal history in accordance with this section is privileged information and is not a public record but is for the exclusive and confidential use of the State Board of Education. The State Board of Education may destroy the information after it is used for the purposes authorized by this section after one calendar year.

(f) There shall be no liability for negligence on the part of the State Board of Education, or its employees, arising from any act taken or omission by any of them in carrying out the provisions of this section. The immunity established by this subsection shall not extend to gross negligence, wanton conduct, or intentional wrongdoing that would otherwise be actionable. The immunity established by this subsection shall be deemed to have been waived to the extent of indemnification by insurance, indemnification under Articles 31A and 31B of Chapter 143 of the General Statutes, and to the extent sovereign immunity is waived under the Tort Claims Act, as set forth in Article 31 of Chapter 143 of the General Statutes.

(g) Any member who willfully furnishes, supplies, or otherwise gives false information for a criminal history record check under this section shall be guilty of a Class A1 misdemeanor."

SECTION 4. Chapter 115C of the General Statutes is amended by adding a new Article to read:

"Article 29E.

Student Safety Reporting in Athletics.


The following definitions apply in this Article:

(1) Athletic activity. – An activity offered to students enrolled in a high school or middle school covering grades six or higher under any of the following circumstances:

a. Interscholastic athletics.

b. An athletic contest or competition, other than interscholastic athletics, that is sponsored by a school, including cheerleading, or any other sports activities provided by a club or school-affiliated organization that is school-sponsored.

c. Practices, interschool practices, and scrimmages for all of the activities listed under this subdivision.

(2) Catastrophic illness or injury. – An illness or injury occurring during athletic activity that results in a fatality, permanent disability, or serious injury, including, but not limited to, a fractured neck, severe traumatic brain injury,
such as a subdural hematoma, temporary or transient paralysis, heat stroke
related to exercise, sickle-cell trait associated collapse, sudden cardiac arrest, or
commotio cordis.

(3) Concussion. – As defined in G.S. 115C-12(23)a.

(4) Heat stroke. – A heat-related illness in which the person's core body
temperature is greater than 105 degrees Fahrenheit, with complications
involving the central nervous system that occur after exposure to high
temperatures.

(5) Sudden cardiac arrest. – The sudden, unexpected loss of heart function,
breathing, and consciousness.

§ 115C-407.41. Reporting of catastrophic illnesses and injuries and concussions.

(a) The State Board of Education shall create a database maintained by the Department of
Public Instruction for high school and middle school personnel to report catastrophic illnesses and
injuries and concussions occurring during athletic activities involving student athletes. The State
Board shall assign a school code for each high school and middle school for the purposes of
reporting information to be included in the database. The State Board shall require at least the
following information be included in a report by high school and middle school personnel:

(1) The school code for the high school or middle school.

(2) Age group of the student athlete.

(3) Gender.

(4) Sport that the student athlete was playing when becoming ill or injured.

(5) Type of event.

(6) The date of illness or injury.

(7) The date of return to play, if applicable.

(8) The category of illness or injury.

(9) Whether the illness or injury resulted in a fatality.

(b) Each month in which student athletes are participating in an athletic activity at a high
school or middle school, the athletic director or designee, or principal or designee if there is no
athletic director, of that high school or middle school shall report to the Department of Public
Instruction on whether a catastrophic illness or injury or a concussion has occurred involving a
student athlete as set forth in subsection (a) of this section.

(c) The Department of Public Instruction shall only provide access to the information
contained in the database created and maintained under this section to local boards of education,
the North Carolina High School Athletic Association, and the National Center for Catastrophic
Sport Injury Research and the Matthew A. Gfeller Sport-Related Traumatic Brain Injury Research
Center housed at the University of North Carolina at Chapel Hill. The information contained in the
database shall not contain personally identifiable student data as defined in G.S. 115C-402.5 and
shall not be considered a public record under G.S. 132-1."

SECTION 5. Section 2 of S.L. 2015-126 reads as rewritten:

"SECTION 2. This act is effective when it becomes law and applies beginning with the
annual report compiled in 2017-2016 using data from the 2016-20172015-2016 school year.
Beginning in 2016, the annual report compiled as required by G.S. 115C-12(22) shall be titled
"State of the Teaching Profession in North Carolina." Beginning in 2016, this annual report is due
on December 1 of each year and may not be released publicly in final or draft format by the State
Board of Education or the Department of Public Instruction before November 15 of each year."

SECTION 6. G.S. 160A-417(a2) reads as rewritten:


(a2) No permit issued under Articles 9 or 9C of Chapter 143 shall be required for any
construction, installation, repair, replacement, or alteration costing fifteen thousand dollars
($15,000) or less in any single family residence or farm building unless the work involves: the
addition, repair or replacement of load bearing structures; the addition (excluding replacement of same size and capacity) or change in the design of plumbing; the addition, replacement or change in the design of heating, air conditioning, or electrical wiring, devices, appliances, or equipment; the use of materials not permitted by the North Carolina Uniform Residential Building Code; or the addition (excluding replacement of like grade of fire resistance) of roofing. No low voltage permit shall be required for any construction, installation, repair, replacement, or alteration of passive optical networks. Violation of this section shall constitute a Class 1 misdemeanor."

SECTION 7. If House Bill 242, 2015 Regular Session, becomes law, then Section 6.5 of S.L. 2014-101, as amended by Section 2 of House Bill 242, 2015 Regular Session, reads as rewritten:

"SECTION 6.5. Upon recommendations by the Office of Charter Schools and the Charter Schools Advisory Board, the State Board of Education shall adopt a process and rules for fast-track replication of high-quality charter schools currently operating in the State. The State Board of Education shall not require a planning year for applicants selected through the fast-track replication process. In addition to the requirements for charter applicants set forth in Part 6A of Article 16 of Chapter 115C of the General Statutes, the fast-track replication process adopted by the State Board of Education shall, at a minimum, require a board of directors of a charter school to demonstrate one of the following in order to qualify for fast-track replication:

(1) A charter school in this State governed by the board of directors has student academic outcomes that are comparable to the academic outcomes of students in the local school administrative unit in which the charter school is located and can provide three years of financially sound audits.

(2) The board of directors agrees to contract with an education management organization or charter management organization that can demonstrate that it can replicate high-quality charter schools in the State that have proven student academic success and financial soundness.

The State Board of Education shall ensure that the rules for a fast-track replication process provide that decisions by the State Board of Education on whether to grant a charter through the replication process are completed in less than 120 days from the application submission date but in no event later than October 15 of the year immediately preceding the year of the proposed school opening. The State Board of Education shall adopt rules and procedures required by this section within 90 days of the effective date of this act, and report to the Joint Legislative Education Oversight Committee within 120 days of the effective date of this act."

SECTION 8.(a) Notwithstanding Section 8.27(c) of S.L. 2015-241, as amended by Section 3.1 of S.L. 2015-268, if federal Investing in Innovation Grant funds are unavailable due to the insolvency of the North Carolina New Schools Project, any costs incurred by local school administrative units and the community college partners in implementing the program may be funded by the local school administrative unit or a third party. Community colleges shall not earn budget FTE for student course enrollments under this section, unless the student course enrollment is otherwise authorized as provided in G.S. 115D-20(4)a.

SECTION 8.(b) This section is effective when it becomes law and applies only to the 2016-2017 school year.

SECTION 9. Except as otherwise provided, this act is effective when it becomes law. Section 1 of this act applies to applications for licensure that are received on or after October 1, 2016. Section 2 of this act applies to applications for employment that are received on or after January 1, 2017. Section 3 of this act applies to application for initial charters that are received on or after October 1, 2016. The reporting requirements of Section 4 of this act apply beginning January 1, 2017.