

North Carolina's Private School Staff Excluded from Required Criminal Background Checks

New legislation adds security and reporting requirements for public schools but not private schools.

RALEIGH, NC, UNITED STATES, October 1, 2025 /EINPresswire.com/ -- Last week the North Carolina House took action on a bill to enhance criminal background checks for public school staff and administrators, but the bill does not add new requirements for private school staff and administrators.



[Current state law](#) in North Carolina requires traditional public schools to develop and implement a plan to require criminal background checks for staff and administrators. Charter schools are required to follow the policy set by the local school district. However, the law did not address the criminal background of the board of directors of nonprofits seeking to open charter schools, and it left the scope of criminal background check requirements up to local districts.

[House Bill 775 "Criminal History Checks for School Positions,"](#) closes these gaps. It adds requirements for all school staff (including bus drivers, custodians, substitute teachers, and clerical staff) and independent contractors of traditional and charter schools as well as charter school applicant board members to pass a criminal background check.

However, HB 775 does not require criminal background checks for private school board members, administrators or staff, even if the private school accepts taxpayer-funded tuition vouchers. Current [law regarding nonpublic schools](#) that receive state voucher funding requires a criminal background check for just one person—the staff member with the highest decision-making authority.

HB 775 also enhanced the reporting requirements for public schools (traditional and charter schools).

Current state law requires public school administrators to report to the State Board of Education within 30 days of receiving information about any licensed employee (e.g., teacher) who has

engaged in misconduct that resulted in disciplinary action, dismissal, or if the employee resigned due to the misconduct. Failure to report the offense to the State Board within 5 days of the disciplinary action or resignation is currently a Class I felony.

HB 775 adds a new category of reportable offense: "intentional infliction of emotional distress against a child." Discussion raised concerns about the bill's language; it does not specify what qualifies as "intentional infliction" and "emotional distress" that merits reporting to the State Board.

Current state law also requires school principals and administrators to report to local law enforcement if any of a number of offenses occurs on school property (e.g., sexual assault, indecent liberties with a minor, assault involving a weapon). HB 775 adds to the list a "threat directed at a teacher," but makes some exceptions for threats by students with certain disabilities (e.g., intellectual disability). Discussion by House members again raised concerns about the bill's language. HB 775 provides no guidance on the level or type of threat that must be reported.

These enhanced reporting requirements apply to all public schools (traditional and charter). The law does not include reporting requirements for private schools.

The bill now moves to the Senate where members may address it in the coming weeks.

Heather Koons
Public Schools First NC
info@publicschoolsfirstnc.org

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