

Part 3B. Reporting Misconduct of Licensed School Employees.

§ 115C-326.20. Reporting misconduct of licensed school employees.

(a) For the purposes of this section, "misconduct" includes any of the following:

- (1) Conduct that justifies automatic revocation of a license under G.S. 115C-270.35(b).
- (2) The infliction of a physical injury against a child other than by accident or in self-defense.

(b) Any superintendent, assistant superintendent, associate superintendent, personnel administrator, or principal who knows, has reason to believe, or has actual notice of a complaint that an employee licensed under Article 17E of this Chapter has engaged in misconduct resulting in dismissal, disciplinary action, or resignation shall report the misconduct to the State Board of Education within five days of dismissal, determination of disciplinary action, or acceptance of resignation. If the employee resigns within 30 days of a complaint for misconduct or during an ongoing investigation of a complaint, the misconduct is presumed to have resulted in the resignation. Failure to report misconduct pursuant to this section is a Class I felony.

(c) School personnel shall not threaten, harass, or retaliate against any other person for making a report as required by this section. (2023-128, s. 2(a).)