

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 1092\*  
Committee Substitute Favorable 5/7/93

Short Title: Juv. Prob./School Protection.

(Public)

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Sponsors:

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Referred to:

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April 19, 1993

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE JUVENILE COURT COUNSELORS TO NOTIFY SCHOOL  
3 OFFICIALS IN CERTAIN CASES WHEN A JUVENILE IS ADJUDICATED  
4 DELINQUENT AND IS ORDERED TO ATTEND SCHOOL AS A CONDITION  
5 OF PROBATION.

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 7A-649(8) reads as rewritten:

8 "(8) Place the juvenile on probation under the supervision of a court  
9 counselor. In any case where a juvenile is placed on probation, the  
10 court counselor shall have the authority to visit the juvenile where ~~he~~  
11 the juvenile resides. The judge shall specify conditions of probation  
12 that are related to the needs of the juvenile including any of the  
13 following which apply:

14 a. That the juvenile shall remain on good behavior and not violate  
15 any laws;

16 b. That the juvenile attend school regularly;  
17 Whenever the judge specifies school attendance pursuant to this  
18 subsubdivision as a condition of probation as a disposition for  
19 an adjudication of delinquency for an offense involving a threat  
20 to the safety of the juvenile or others, the judge shall make a  
21 finding whether or not the principal of the school the juvenile is  
22 required to attend should be notified of the adjudication of  
23 delinquency. If the judge makes a finding that the principal

1                   should be notified, the juvenile court counselor shall, within  
2                   five days, notify the principal of the school which the juvenile  
3                   is required to attend of the nature of the offense and the terms of  
4                   the juvenile's probation pertaining to school attendance. A  
5                   principal notified by the juvenile counselor shall keep the  
6                   confidence of the communication unless and until the principal  
7                   has a reasonable belief that the juvenile is an actual threat to the  
8                   safety of the juvenile, other students, employees, or volunteers  
9                   at the school and that communicating the confidence is  
10                   necessary to protect the safety of the juvenile, other students,  
11                   employees, or volunteers at the school;

- 12                   c.     That the juvenile not associate with specified persons or be in  
13                   specified places;  
14                   d.     That the juvenile report to a court counselor as often as required  
15                   by a court counselor;  
16                   e.     That the juvenile make specified financial restitution or pay a  
17                   fine in accordance with subdivisions (2) and (3);  
18                   f.     That the juvenile be employed regularly if not attending school.

19                   An order of probation shall remain in force for a period not to exceed  
20                   one year from the date entered. Prior to expiration of an order of  
21                   probation, the judge may extend it for an additional period of one year  
22                   after a hearing if ~~he~~ the judge finds that the extension is necessary to  
23                   protect the community or to safeguard the welfare of the juvenile;"

24                   Sec. 2. This act becomes effective October 1, 1993, and applies to orders of  
25                   probation for adjudications of delinquency for acts committed on or after that date.