

**Sixty-second Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 4, 2011**

**SENATE CONCURRENT RESOLUTION NO. 4017
(Senators Nelson, Murphy, J. Lee)
(Representative Conklin)**

A concurrent resolution directing the Legislative Management to study the feasibility and desirability of allowing school officials, including officials of higher education institutions, access to the otherwise confidential files and records of the juvenile court.

WHEREAS, the North Dakota Century Code provides that, with certain limited exceptions, the files and records of the juvenile court are closed to the public; and

WHEREAS, school officials are not within the list of limited exceptions; and

WHEREAS, the North Dakota Century Code provides that the files and records of the juvenile court are open to inspection with written leave of a juvenile judge or judicial referee by the principal of any public or nonpublic school that is a member of the North Dakota High School Activities Association, or the superintendent of any school district that has one or more schools involved in the association, but only to the extent necessary to enforce the rules and regulations of the North Dakota High School Activities Association; and

WHEREAS, school officials are not permitted to inspect the files or records for other purposes; and

WHEREAS, officials of higher education institutions also have restricted access to juvenile court records of incoming and enrolled students; and

WHEREAS, receiving additional information about incoming and enrolled students who are juvenile offenders or who are students with juvenile court records would assist school officials in protecting the welfare and safety of all students and staff, in providing appropriate treatment and rehabilitation to the juvenile offenders or to students with juvenile court records, and in providing appropriate levels of support and supervision to the juvenile offenders or the students with juvenile court records;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislative Management study the feasibility and desirability of allowing school officials, including officials of higher education institutions, access to the otherwise confidential files and records of the juvenile court; and

BE IT FURTHER RESOLVED, that the Legislative Management report its findings and recommendations, together with any legislation required to implement the recommendations, to the Sixty-third Legislative Assembly.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

Filed in this office this _____ day of _____, 2011,
at _____ o'clock _____ M.

Secretary of State