

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 90
Education/Higher Education Committee Substitute Adopted 3/15/23

Short Title: Searches of Student's Person. (Public)

Sponsors:

Referred to:

February 13, 2023

1 A BILL TO BE ENTITLED
2 AN ACT TO STANDARDIZE THE PROCEDURES FOR SEARCHING STUDENTS IN
3 PUBLIC SCHOOL UNITS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Article 27 of Chapter 115C of the General Statutes is amended by
6 adding a new section to read:

7 "**§ 115C-391.2. Searches of students.**

8 (a) Policies adopted by governing bodies of public school units governing searches of a
9 student's person or property shall be consistent with the provisions of this Article and the
10 constitutions, statutes, and regulations of the United States and the State of North Carolina. All
11 searches performed by school officials in accordance with the policies shall be executed using
12 methods that are narrowly tailored to be as minimally intrusive as possible while investigating
13 the suspected activity.

14 (b) Each policy adopted by a governing body of a public school unit in accordance with
15 subsection (a) of this section shall require that searches are conducted in private by one school
16 official and one adult witness, both of whom shall be the same sex as the student."

17 **SECTION 2.** This act is effective when it becomes law and applies beginning with
18 the 2023-2024 school year.

