

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H.B. 985
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10445-ML-120

Short Title: Increase Punishment for Assaulting Teachers. (Public)

Sponsors: Representative Cotham.

Referred to:

A BILL TO BE ENTITLED
AN ACT TO INCREASE THE PUNISHMENT FOR ASSAULTING A SCHOOL EMPLOYEE
OR SCHOOL VOLUNTEER.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-33 reads as rewritten:

"§ 14-33. ~~Misdemeanor assaults,~~Assaults, batteries, and affrays, simple and aggravated;
punishments.

...

(c) Unless the conduct is covered under some other provision of law providing greater
punishment, any person who commits any assault, assault and battery, or affray is guilty of a
Class A1 misdemeanor if, in the course of the assault, assault and battery, or affray, he or she:

...

(6) ~~Assaults a school employee or school volunteer when the employee or
volunteer is discharging or attempting to discharge his or her duties as an
employee or volunteer, or assaults a school employee or school volunteer as a
result of the discharge or attempt to discharge that individual's duties as a
school employee or school volunteer. For purposes of this subdivision, the
following definitions shall apply:~~

a. "Duties" means:

1. ~~All activities on school property;~~
2. ~~All activities, wherever occurring, during a school authorized
event or the accompanying of students to or from that event;
and~~
3. ~~All activities relating to the operation of school transportation.~~

b. "Employee" or "volunteer" means:

1. ~~An employee of a local board of education; or a charter school
authorized under G.S. 115C 218.5, or a nonpublic school
which has filed intent to operate under Part 1 or Part 2 of
Article 39 of Chapter 115C of the General Statutes;~~
2. ~~An independent contractor or an employee of an independent
contractor of a local board of education, charter school
authorized under G.S. 115C 218.5, or a nonpublic school
which has filed intent to operate under Part 1 or Part 2 of
Article 39 of Chapter 115C of the General Statutes, if the
independent contractor carries out duties customarily
performed by employees of the school; and~~



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3. ~~An adult who volunteers his or her services or presence at any school activity and is under the supervision of an individual listed in sub-sub-subdivision 1. or 2. of this sub-subdivision.~~

...

(c1) ~~No school personnel as defined in G.S. 14-33(c)(6) who takes reasonable actions in good faith to end a fight or altercation between students shall incur any civil or criminal liability as the result of those actions.~~

(c2) Unless the conduct is covered under some other provision of law providing greater punishment, any person who commits any assault, assault and battery, or affray is guilty of a Class I felony if, in the course of the assault, assault and battery, or affray, he or she assaults a school employee or school volunteer when the employee or volunteer is discharging or attempting to discharge his or her duties as an employee or volunteer, or assaults a school employee or school volunteer as a result of the discharge or attempt to discharge that individual's duties as a school employee or school volunteer. No school personnel who takes reasonable actions in good faith to end a fight or altercation between students shall incur any civil or criminal liability as the result of those actions. For purposes of this subsection, the following definitions apply:

(1) Duties. – Means any of the following:

- a. All activities on school property.
- b. All activities, wherever occurring, during a school authorized event or the accompanying of students to or from that event.
- c. All activities relating to the operation of school transportation.

(2) Employee or Volunteer. – Means any of the following:

- a. An employee of a local board of education; or a charter school authorized under G.S. 115C-218.5, or a nonpublic school which has filed intent to operate under Part 1 or Part 2 of Article 39 of Chapter 115C of the General Statutes.
- b. An independent contractor or an employee of an independent contractor of a local board of education, charter school authorized under G.S. 115C-218.5, or a nonpublic school which has filed intent to operate under Part 1 or Part 2 of Article 39 of Chapter 115C of the General Statutes, if the independent contractor carries out duties customarily performed by employees of the school.
- c. An adult who volunteers his or her services or presence at any school activity and is under the supervision of an individual listed in sub-subdivision a. or b. of this subdivision.

...."

SECTION 2. G.S. 115C-289.1 reads as rewritten:

"§ 115C-289.1. Supervisor duty to report; intimidation of school employee.

(a) When a supervisor of a school employee has actual notice that the school employee has been the victim of an assault by a student in violation of ~~G.S. 14-33(c)(6)~~14-33(c2) resulting in physical injury, as that term is defined in G.S. 14-34.7, the supervisor shall immediately report to the principal the assault against the school employee. For the purpose of this subsection, the term "supervisor of a school employee" does not include the principal or superintendent.

(b) A principal, superintendent, or supervisor of a school employee shall not, by threats or in any other manner, intimidate or attempt to intimidate that school employee from reporting to law enforcement an assault by a student under ~~G.S. 14-33(c)(6)~~14-33(c2).

...."

SECTION 3. This act becomes effective December 1, 2025, and applies to offenses committed on or after that date.