

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL 90
Education/Higher Education Committee Substitute Adopted 3/15/23
Third Edition Engrossed 3/28/23

Short Title: Searches of Student's Person.

(Public)

Sponsors:

Referred to:

February 13, 2023

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

The General Assembly of North Carolina enacts:

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

"§ 115C-391.2. Searches of students.

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

(b) Each policy adopted by a governing body of a public school unit in accordance with
subsection (a) of this section shall require that searches of a student's person are conducted in
private by one school official and one adult witness, both of whom shall be the same sex as the
student. The policy may provide an exception to this requirement for searches conducted using a
walk-through metal detector, handheld wand, or other similar minimally intrusive device
designed to detect weapons and regularly used for security scanning."

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

