

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL 195

Short Title: Protect Campus Survivors Act. (Public)

Sponsors: Senators Lee, Galey, and Overcash (Primary Sponsors).

Referred to: Rules and Operations of the Senate

March 3, 2025

1 A BILL TO BE ENTITLED
2 AN ACT TO EXEMPT PERSONALLY IDENTIFIABLE STUDENT DISCIPLINARY
3 RECORDS AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION FROM THE
4 PUBLIC RECORDS ACT.

5 The General Assembly of North Carolina enacts:

6 SECTION 1.(a) G.S. 116-43.17 reads as rewritten:

7 "§ 116-43.17. Confidentiality of ~~research data, records, and information of a proprietary~~
8 ~~nature, certain records.~~

9 (a) Definitions. – The following definitions shall apply in this section:

10 (1) Personally identifiable information. – Any of the following information:

11 a. The name of a student.

12 b. The name of the parent or other family member of a student.

13 c. The address of a student or the student's family.

14 d. Any personal identifier for a student, including social security number,
15 student number, or biometric record.

16 e. Any indirect identifier for a student, including date of birth, place of
17 birth, or mother's maiden name.

18 f. Any other information, alone or in combination, that is linked or
19 linkable to a specific student and that would allow a reasonable person
20 in the community of the public institution of higher education where
21 the student attends, who does not have personal knowledge of the
22 relevant circumstances, to identify the student with reasonable
23 certainty.

24 g. Any information requested by a person who the public institution of
25 higher education reasonably believes knows the identity of the student
26 to whom the information relates.

27 (2) Personally identifiable student disciplinary records. – Any records, including
28 materials that are described in G.S. 132-1(a), that meet all of the following
29 criteria:

30 a. Are made, received, or maintained by a public institution of higher
31 education.

32 b. Contain personally identifiable information of or about a student.

33 c. Are related to a complaint, investigation, or resolution of an alleged
34 violation of or noncompliance with the disciplinary or conduct rules
35 or other policy of a public institution of higher education.

36 (3) Public institution of higher education. – Any of the following:



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- 1 a. The University of North Carolina.
 2 b. A constituent institution of The University of North Carolina, as
 3 defined in G.S. 116-2(4), that is an institution of higher education.
 4 c. The Community Colleges System Office, as defined in G.S. 115D-3.
 5 d. A community college, as defined in G.S. 115D-2(2).
 6 (4) Student. – Any individual (i) who attends or has attended a public institution
 7 of higher education and (ii) about whom the public institution of higher
 8 education maintains records.

9 (b) Confidentiality of Certain Records. – The following are not public records under
 10 Chapter 132 of the General Statutes:

- 11 (1) Research data, records, or information of a proprietary nature, produced or
 12 collected by or for state institutions of higher learning in the conduct of
 13 commercial, scientific, or technical research where the data, records, or
 14 information has not been patented, published, or ~~copyrighted~~ are not public
 15 records as defined by G.S. 132-1. ~~copyrighted~~.
 16 (2) Personally identifiable student disciplinary records, even if release of the
 17 records would be permitted by the Family Educational Rights and Privacy
 18 Act, 20 U.S.C. § 1232g (34 C.F.R. Part 99). Nothing in this subdivision is
 19 intended to limit the disclosure of public records that do not contain personally
 20 identifiable information."

21 **SECTION 1.(b)** G.S. 115D-78 reads as rewritten:

22 "**§ 115D-78. Access to information and public records; small business counseling**
 23 **information.**

24 (a) In accordance with Chapter 132 of the General Statutes, all rules, regulations and
 25 public records of the State Board of Community Colleges, the Community Colleges System
 26 Office, and local boards of trustees shall be available for examination and reproduction on
 27 payment of fees by any person.

28 (a1) As provided in G.S. 116-43.17, personally identifiable student disciplinary records
 29 are not public records under Chapter 132 of the General Statutes.

30 "

31 **SECTION 1.(c)** G.S. 132-1.2 reads as rewritten:

32 "**§ 132-1.2. Confidential information.**

33 Nothing in this Chapter shall be construed to require or authorize a public agency or its
 34 subdivision to disclose any information that:

35 ...

- 36 (11) Reveals personally identifiable student disciplinary records in violation of
 37 G.S. 116-43.17."

38 **SECTION 2.** This act is effective when it becomes law and applies to requests for
 39 personally identifiable student disciplinary records submitted on or after that date.