

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

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 minimally intrusive while investigating the suspected  
13 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 of a student's person are conducted in  
16 private by one school official and one adult witness, both of whom shall be the same sex as the  
17 student. The policy may provide an exception to this requirement for searches conducted using a  
18 walk-through metal detector, handheld wand, or other similar minimally intrusive device  
19 designed to detect weapons and regularly used for security scanning."

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

