

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 566

Short Title: Records of Sch. Suspension May Be Retained.

(Public)

Sponsors: Senator Carter.

Referred to: Education/Higher Education.

March 21, 2001

A BILL TO BE ENTITLED

AN ACT TO GIVE SCHOOL SUPERINTENDENTS FLEXIBILITY REGARDING
THE EXPUNCTION OF RECORDS OF A STUDENT'S SUSPENSION OR
EXPULSION FROM SCHOOL.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-402 reads as rewritten:

"§ 115C-402. Student records; maintenance; contents; confidentiality.

(a) The official record of each student enrolled in North Carolina public schools shall be permanently maintained in the files of the appropriate school after the student graduates, or should have graduated, from high school unless the local board determines that such files may be filed in the central office or other location designated by the local board for that purpose.

(b) The official record shall contain, as a minimum, adequate identification data including date of birth, attendance data, grading and promotion data, and such other factual information as may be deemed appropriate by the local board of education having jurisdiction over the school wherein the record is maintained. Each student's official record also shall include notice of any suspension for a period of more than 10 days or of any expulsion under G.S. 115C-391 and the conduct for which the student was suspended or expelled. The notice of suspension or expulsion shall be expunged from the record if the by the superintendent or the superintendent's designee at the request of the student's parent or guardian if:

(1) The student (i) either graduates from high school or (ii) is not expelled or suspended again during the two-year period commencing on the date of the student's return to school after the expulsion or suspension.

(2) The superintendent or the superintendent's designee determines that the maintenance of the record is no longer needed to maintain safe and orderly schools; and

1 (3) The superintendent or the superintendent's designee determines that
2 the maintenance of the record is no longer needed to adequately serve
3 the child.

4 (c) The official record of each student is not a public record as the term "public
5 record" is defined by G.S. 132-1. The official record shall not be subject to inspection
6 and examination as authorized by G.S. 132-6."

7 **SECTION 2.** This act is effective when it becomes law and applies
8 beginning with the 2001-2002 school year.