

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H.B. 872
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40472-NH-7A

Short Title: School Employee Protections for Use of Force. (Public)

Sponsors: Representative Blackwell.

Referred to:

A BILL TO BE ENTITLED
AN ACT TO INCREASE PROTECTIONS FOR SCHOOL EMPLOYEES THAT USE
REASONABLE FORCE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-390.3 reads as rewritten:

"§ 115C-390.3. Reasonable force.

(a) School personnel may use physical restraint only in accordance with
G.S. 115C-391.1.

(b) School personnel may use reasonable force to control behavior or to remove a person
from the scene in those situations when necessary for any of the following reasons:

- (1) To correct students.
- (2) To quell a disturbance threatening injury to others.
- (3) To obtain possession of weapons or other dangerous objects on the person, or
within the control, of a student.
- (4) For self-defense.
- (5) For the protection of persons or property.
- (6) To maintain order on educational property, in the classroom, or at a
school-related activity on or off educational property.

(b1) Use of force under subsection (b) of this section shall be presumed to be reasonable
in all investigative, administrative, and adversarial proceedings. The presumption may be
overcome if a local board of education, a designee of the local board of education, the State Board
of Education, a designee of the State Board of Education, or a court of competent jurisdiction
determines, by a preponderance of the evidence, that the use of force was not reasonable.

(c) Notwithstanding any other law, no officer, member, or employee of the State Board
of Education, the Superintendent of Public Instruction, or of a governing body of a public school
unit, individually or collectively, shall be civilly liable for using reasonable force in conformity
with State law, State or local rules, or State or local policies regarding the control, discipline,
suspension, and expulsion of students. Furthermore, the burden of proof is on the claimant to
show that the amount of force used was not reasonable.

(d) No school employee shall be reprimanded or dismissed for acting or failing to act to
stop or intervene in an altercation between students if the employee's actions are consistent with
governing body policies. Governing bodies of public school units shall adopt policies, pursuant
to their authority under G.S. 115C-47(18), or as otherwise provided by law, which provide
guidelines for an employee's response if the employee has personal knowledge or actual notice
of an altercation between students.



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1 (e) The governing body of a public school unit may not retaliate against or dismiss school
2 personnel for using reasonable force in accordance with this section.

3 (f) Nothing in this section prevents the governing body of a public school unit from
4 exercising its authority to place school personnel on suspension or appropriate leave or to
5 otherwise remove school personnel from specific duties or assignments while allegations related
6 to the use of force are being investigated or adjudicated.

7 (g) The State Board of Education may not revoke or refuse to renew a license issued
8 pursuant to Article 17E of this Chapter based on a licensee using reasonable force in accordance
9 with this section.

10 (h) No school personnel shall be reprimanded, dismissed, disciplined, or have their
11 license revoked or license renewal denied solely or partly as a result of criminal allegations made
12 against the school personnel for assault or a similar crime so long as the force used leading to the
13 allegation (i) was used in accordance with this section and (ii) does not result in a conviction or
14 a plea of no contest. Nothing in this subsection prevents the governing body of a public school
15 unit from investigating the same conduct leading to the criminal allegations."

16 **SECTION 2.** This act is effective when it becomes law and applies beginning with
17 the 2025-2026 school year.