

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H.B. 985
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10445-ML-120

Short Title: Increase Punishment for Assaulting Teachers. (Public)

Sponsors: Representative Cotham.

Referred to:

A BILL TO BE ENTITLED
AN ACT TO INCREASE THE PUNISHMENT FOR ASSAULTING A SCHOOL EMPLOYEE
OR SCHOOL VOLUNTEER.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-33 reads as rewritten:

"§ 14-33. ~~Misdemeanor assaults,~~Assaults, batteries, and affrays, simple and aggravated;
punishments.

...

(c) Unless the conduct is covered under some other provision of law providing greater
punishment, any person who commits any assault, assault and battery, or affray is guilty of a
Class A1 misdemeanor if, in the course of the assault, assault and battery, or affray, he or she:

...

(6) ~~Assaults a school employee or school volunteer when the employee or
volunteer is discharging or attempting to discharge his or her duties as an
employee or volunteer, or assaults a school employee or school volunteer as a
result of the discharge or attempt to discharge that individual's duties as a
school employee or school volunteer. For purposes of this subdivision, the
following definitions shall apply:~~

a. "Duties" means:

1. All activities on school property;
2. All activities, wherever occurring, during a school authorized
event or the accompanying of students to or from that event;
and
3. All activities relating to the operation of school transportation.

b. "Employee" or "volunteer" means:

1. An employee of a local board of education; or a charter school
authorized under G.S. 115C-218.5, or a nonpublic school
which has filed intent to operate under Part 1 or Part 2 of
Article 39 of Chapter 115C of the General Statutes;
2. An independent contractor or an employee of an independent
contractor of a local board of education, charter school
authorized under G.S. 115C-218.5, or a nonpublic school
which has filed intent to operate under Part 1 or Part 2 of
Article 39 of Chapter 115C of the General Statutes, if the
independent contractor carries out duties customarily
performed by employees of the school; and



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3. ~~An adult who volunteers his or her services or presence at any school activity and is under the supervision of an individual listed in sub-sub-subdivision 1. or 2. of this sub-subdivision.~~

...

(c1) ~~No school personnel as defined in G.S. 14-33(c)(6) who takes reasonable actions in good faith to end a fight or altercation between students shall incur any civil or criminal liability as the result of those actions.~~

(c2) Unless the conduct is covered under some other provision of law providing greater punishment, any person who commits any assault, assault and battery, or affray is guilty of a Class I felony if, in the course of the assault, assault and battery, or affray, he or she assaults a school employee or school volunteer when the employee or volunteer is discharging or attempting to discharge his or her duties as an employee or volunteer, or assaults a school employee or school volunteer as a result of the discharge or attempt to discharge that individual's duties as a school employee or school volunteer. No school personnel who takes reasonable actions in good faith to end a fight or altercation between students shall incur any civil or criminal liability as the result of those actions. For purposes of this subsection, the following definitions apply:

(1) Duties. – Means any of the following:

a. All activities on school property.

b. All activities, wherever occurring, during a school authorized event or the accompanying of students to or from that event.

c. All activities relating to the operation of school transportation.

(2) Employee or Volunteer. – Means any of the following:

a. An employee of a local board of education; or a charter school authorized under G.S. 115C-218.5, or a nonpublic school which has filed intent to operate under Part 1 or Part 2 of Article 39 of Chapter 115C of the General Statutes.

b. An independent contractor or an employee of an independent contractor of a local board of education, charter school authorized under G.S. 115C-218.5, or a nonpublic school which has filed intent to operate under Part 1 or Part 2 of Article 39 of Chapter 115C of the General Statutes, if the independent contractor carries out duties customarily performed by employees of the school.

c. An adult who volunteers his or her services or presence at any school activity and is under the supervision of an individual listed in sub-subdivision a. or b. of this subdivision.

...."

SECTION 2. G.S. 115C-289.1 reads as rewritten:

"§ 115C-289.1. Supervisor duty to report; intimidation of school employee.

(a) When a supervisor of a school employee has actual notice that the school employee has been the victim of an assault by a student in violation of G.S. ~~14-33(c)(6)~~14-33(c2) resulting in physical injury, as that term is defined in G.S. 14-34.7, the supervisor shall immediately report to the principal the assault against the school employee. For the purpose of this subsection, the term "supervisor of a school employee" does not include the principal or superintendent.

(b) A principal, superintendent, or supervisor of a school employee shall not, by threats or in any other manner, intimidate or attempt to intimidate that school employee from reporting to law enforcement an assault by a student under G.S. ~~14-33(c)(6)~~14-33(c2).

...."

SECTION 3. This act becomes effective December 1, 2025, and applies to offenses committed on or after that date.