

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2025

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SENATE BILL DRS35076-MT-25A

Short Title: Protect Campus Survivors Act. (Public)

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

Referred to:

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:



\* D R S 3 5 0 7 6 - M T - 2 5 A \*

- 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.