



# HOUSE BILL 188: Standards of Student Conduct.

2023-2024 General Assembly

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<b>Committee:</b>	House Judiciary 1. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	March 22, 2023
<b>Introduced by:</b>	Reps. Torbett, Blackwell, Willis, Wheatley	<b>Prepared by:</b>	Brian Gwyn*
<b>Analysis of:</b>	First Edition		Committee Co-Counsel

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**OVERVIEW:** *House Bill 188 would make various changes to school discipline policy requirements and various technical changes.*

**CURRENT LAW:** Article 27 of Chapter 115C of the General Statutes establishes requirements regarding student discipline for public school units.

G.S. 115C-390.2 requires the governing bodies of public school units to adopt policies governing the conduct of students and establishing discipline procedures that are consistent with federal and State law.

G.S. 115C-390.2(f) requires the policies to restrict the use of long-term suspension or expulsion to address only serious violations of the unit's Code of Student Conduct. Under this statute, the following are not serious violations: (i) the use of inappropriate or disrespectful language, (ii) noncompliance with a staff directive, (iii) dress code violations, and (iv) minor physical altercations that do not involve weapons or injury. Principals may determine that aggravating circumstances exist that justify treating a violation as a serious violation.

G.S. 115C-390.2(k) encourages school officials to use a full range of responses to violations that do not remove a student from the classroom or school building.

**BILL ANALYSIS:** Section 1 would require governing bodies of public school units to use best practices when developing and enforcing discipline policies to avoid discriminating against students on the basis of race, ethnicity, national origin, gender, or disability.

The policies must include (i) the measures that will be taken to support a student during a suspension, including measures to mitigate learning loss and (ii) the procedures for in-school suspension. School officials would be encouraged to use in-school suspension instead of other punishment that would remove the student from the school building.

This section would also remove language in the statute providing examples of conduct that would not rise to the level of a serious violation of the governing body's Code of Student Conduct.

Sections 2-4 would make technical changes to the school discipline statutes by (i) adding an introductory phrase before a list of subdivisions and (ii) removing references to a repealed statute.

**EFFECTIVE DATE:** House Bill 188 would be effective when it becomes law and would apply beginning with the 2023-2024 school year.

*\*Samantha Yarborough, Staff Attorney with the Legislative Analysis Division, substantially contributed to this summary.*

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