

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 990
Judiciary I Committee Substitute Adopted 4/18/01
House Committee Substitute Favorable 8/9/01

Short Title: No Disclosure of Student Info to 3rd Parties.

(Public)

Sponsors:

Referred to:

April 5, 2001

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT PERSONS CONTRACTING WITH THE PUBLIC
SCHOOLS FROM DISCLOSING INFORMATION ABOUT STUDENTS FOR A
BUSINESS PURPOSE AND TO MAKE EMERGENCY RESPONSE PLANS
CONFIDENTIAL.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter 115C of the General Statutes is amended by adding a
new section to read:

"§ 115C-401.1. Prohibition on the disclosure of information about students.

(a) A person who enters into a contract with a local board of education for the
provision of goods or services shall not sell or otherwise use for a business purpose
other than the performance of its obligations under the contract any information about
students that it gains incidental to its performance under the contract unless the students'
parents or guardians authorize such use of information.

(b) A violation of this section shall be punished as a Class 2 misdemeanor, and
when the defendant is an organization as defined in G.S. 15A-773(c) the fine shall be
five thousand dollars (\$5,000) for the first violation, ten thousand dollars (\$10,000) for a
second violation, and twenty-five thousand dollars (\$25,000) for a third or subsequent
violation.

(c) Nothing in this section shall preclude the enforcement of civil remedies as
otherwise provided by law."

SECTION 2. G.S. 143-318.11 is amended by adding a new subdivision to
read:

"(8) To formulate plans by a local board of education relating to emergency
response to incidents of school violence."

SECTION 3. G.S. 115C-47 is amended by adding a new subdivision to read:

"(39) To adopt emergency response plans. – Local boards of education may
adopt emergency response plans relating to incidents of school

1 violence. These plans are not a public record as the term 'public record'
2 is defined under G.S. 132-1 and shall not be subject to inspection and
3 examination under G.S. 132-6."

4 **SECTION 4.** Section 1 of this act is effective when it becomes law and
5 applies to contracts entered into, renewed, or modified after that date. The remainder of
6 this act is effective when it becomes law.