

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

H

2

HOUSE BILL 843  
Committee Substitute Favorable 5/15/13

Short Title: Students & Administration Equality Act.

(Public)

Sponsors:

Referred to:

April 11, 2013

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE THAT ANY STUDENT OR STUDENT ORGANIZATION THAT IS  
3 CHARGED WITH A VIOLATION OF CONDUCT AT A CONSTITUENT  
4 INSTITUTION HAS A RIGHT TO BE REPRESENTED BY AN ATTORNEY OR  
5 NON-ATTORNEY ADVOCATE IN CERTAIN CASES.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Part 3 of Article 1 of Chapter 116 of the General Statutes is amended  
8 by adding a new section to read:

9 **"§ 116-40.11. Disciplinary proceedings – right to counsel for students and organizations.**

10 (a) Any student enrolled at a constituent institution who is accused of a violation of the  
11 disciplinary or conduct rules of the constituent institution shall have the right to be represented  
12 by a licensed attorney or non-attorney advocate who may fully participate during any  
13 disciplinary procedure or other procedure adopted and used by the constituent institution  
14 regarding the alleged violation. However, a student shall not have the right to be represented by  
15 a licensed attorney or non-attorney advocate in either of the following circumstances:

16 (1) If the constituent institution has implemented a "Student Honor Court"  
17 which is fully staffed by students to address such violations.

18 (2) For any allegation of "academic dishonesty" as defined by the constituent  
19 institution.

20 (b) Any student organization officially recognized by a constituent institution that is  
21 accused of a violation of the disciplinary or conduct rules of the constituent institution shall  
22 have the right to be represented by a licensed attorney or non-attorney advocate who may fully  
23 participate during any disciplinary procedure or other procedure adopted and used by the  
24 constituent institution regarding the alleged violation. However, a student organization shall not  
25 have the right to be represented by a licensed attorney or non-attorney advocate if the  
26 constituent institution has implemented a "Student Honor Court" which is fully staffed by  
27 students to address such violations."

28 **SECTION 2.** This act is effective when it becomes law and applies to all  
29 allegations of violations beginning on or after July 1, 2013.

