



CHAPTER 115C
ARTICLE 29 - PROTECTIVE PROVISIONS AND MAINTENANCE OF STUDENT RECORDS

N.C.G.S. § 115C-404.

Use of juvenile court information.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT No amendment history on record	RETRIEVED 21 September 2026, 01:25 UTC	SOURCE FINGERPRINT 73e236cdf25c120bfe442d1 - c5e855c41297e51124cce103 - 933e81c1951e034a
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§ 115C-404(a) Written notifications received in accordance with G.S. 7B-3101 and information gained from examination of juvenile records in accordance with G.S. 7B-3100 are confidential records, are not public records as defined under G.S. 132-1, and shall not be made part of the student's official record under G.S. 115C-402. Immediately upon receipt, the principal shall maintain these documents in a safe, locked record storage that is separate from the student's other school records. The principal shall shred, burn, or otherwise destroy documents received in accordance with G.S. 7B-3100 to protect the confidentiality of the information when the principal receives notification that the court dismissed the petition under G.S. 7B-2411, the court transferred jurisdiction over the student to superior court under G.S. 7B-2200.5 or G.S. 7B-2200, or the court granted the student's petition for expunction of the records. The principal shall shred, burn, or otherwise destroy all information gained from examination of juvenile records in accordance with G.S. 7B-3100 when the principal finds that the school no longer needs the information to protect the safety of or to improve the educational opportunities for the student or others. In no case shall the principal make a copy of these documents.

§ 115C-404(b) Documents received under this section shall be used only to protect the safety of or to improve the education opportunities for the student or others. Information gained in accordance with G.S. 7B-3100 shall not be the sole basis for a decision to suspend or expel a student. The principal of the school shall make an individualized decision related to the status of the student during the pendency of the matter and not have an automatic suspension policy. Upon receipt of each document, the principal shall share the document with those individuals who have (i) direct guidance, teaching, or

supervisory responsibility for the student, and (ii) a specific need to know in order to protect the safety of the student or others. Those individuals shall indicate in writing that they have read the document and that they agree to maintain its confidentiality. Failure to maintain the confidentiality of these documents as required by this section is grounds for the dismissal of an employee who is not employed on contract, grounds for dismissal of an employee on contract in accordance with G.S. 115C-325.4(a)(9), and grounds for dismissal of an employee who is a career employee in accordance with G.S. 115C-325(e)(1)i.

§ 115C-404(c)

If the student graduates, withdraws from school, is suspended for the remainder of the school year, is expelled, or transfers to another school, the principal shall return all documents not destroyed in accordance with subsection (a) of this section to the juvenile court counselor and, if applicable, shall provide the counselor with the name and address of the school to which the student is transferring. (1997-443, s. 8.29(f); 1998-202, ss. 8, 13(cc); 1998-217, s. 12; 2000-140, s. 25; 2013-360, s. 9.7(l), (v); 2017-57, s. 16D.4(q); 2017-157, ss. 2(i), (n); 2018-142, s. 23(b); 2024-17, s. 4(b).)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS II
9 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 7B-3101	(a)	<i>"Written notifications received in accordance with"</i>
G.S. 7B-3100	(a)	<i>"of juvenile records in accordance with"</i>
G.S. 132-1	(a)	<i>"not public records as defined under"</i>
G.S. 115C-402	(a)	<i>"of the student's official record under"</i>
G.S. 7B-2411	(a)	<i>"the court dismissed the petition under"</i>
G.S. 7B-2200.5	(a)	<i>"the student to superior court under"</i>
G.S. 7B-2200	(a)	<i>"superior court under G.S. 7B-2200.5 or"</i>
G.S. 115C-325.4(a)(9)	(b)	<i>"employee on contract in accordance with"</i>
G.S. 115C-325(e)(1)	(b)	<i>"a career employee in accordance with"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 115C-404 (2026).

PINPOINT

N.C. Gen. Stat. § 115C-404(a) (2026).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

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