

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

SESSION LAW 2001-173
HOUSE BILL 1149

AN ACT AUTHORIZING LOCAL BOARDS OF EDUCATION TO ADOPT POLICIES ADDRESSING THE SEXUAL HARASSMENT OF SCHOOL EMPLOYEES, AND TO CLARIFY THE LAW PROHIBITING RETALIATION AGAINST EMPLOYEES WHO REPORT SEXUAL HARASSMENT.

The General Assembly of North Carolina enacts:

SECTION 1. Part 8 of Article 22 of Chapter 115C of the General Statutes reads as rewritten:

~~"Part 8. Protection for Reporting Harassment. Sexual Harassment Policies.~~

"§ 115C-335.5. **Protection Policies addressing harassment of school employees; protection against retaliation for reporting harassment.**

(a) Each local board of education may adopt a policy addressing the sexual harassment of local board employees by students, other local board employees, or school board members. The policy may, at a minimum, set out (i) the consequences of sexually harassing school employees and (ii) a procedure for reporting incidents of sexual harassment.

(b) No employee of a local board of education or employee of a local board shall be disciplined in any discharge, threaten, or otherwise retaliate against another employee of the board regarding that employee's compensation, terms, conditions, location, or privileges of employment because the employee was solely for the reason that the employee has filed files a written complaint alleging sexual harassment by students, other local board employees, or school board members, unless the employee reporting the harassment knows knew or has reason to believe should have known the report is was false."

SECTION 2. This act becomes effective July 1, 2001.

In the General Assembly read three times and ratified this the 30th day of May, 2001.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 9:01 a.m. this 7th day of June, 2001