

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10232-MT-129 (03/22)

Short Title: Nondiscrim. & Account./Certain Private Schs. (Public)

Sponsors: Representative Brockman.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO BROADEN NONDISCRIMINATION REQUIREMENTS AND IMPROVE
3 TESTING TRANSPARENCY FOR CERTAIN NONPUBLIC SCHOOLS.
4 The General Assembly of North Carolina enacts:

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6 **PART I. SPECIAL EDUCATION SCHOLARSHIPS**

7 **SECTION 1.** Part 1H of Article 9 of Chapter 115C of the General Statutes is
8 amended by adding two new sections to read:

9 **"§ 115C-112.10. Nondiscrimination requirement.**

10 A nonpublic school that accepts eligible students receiving scholarship grants shall not
11 discriminate with respect to color, disability, national origin, race, religion, gender identity, or
12 sexual orientation.

13 **"§ 115C-112.11. Report testing results.**

14 A nonpublic school that accepts eligible students receiving scholarship grants shall report to
15 the Department of Public Instruction the results of all tests required pursuant to Article 39 of
16 this Chapter. The Department shall publish this information on its Web site in an aggregated
17 and easy-to-understand manner."

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19 **PART II. CHARTER SCHOOLS**

20 **SECTION 2.(a)** G.S. 115C-218.45(e) reads as rewritten:

21 "(e) Except as otherwise provided by law or the mission of the school as set out in the
22 charter, the school shall not limit admission to students on the basis of intellectual ability,
23 measures of achievement or aptitude, athletic ability, or disability. A charter school shall not
24 limit admission to students on the basis of race, creed, national origin, religion, ~~or~~
25 ~~ancestry~~-ancestry, or sexual orientation. A charter school whose mission is single-sex education
26 may limit admission on the basis of ~~sex~~-gender identity. Within one year after the charter
27 school begins operation, the charter school shall make efforts for the population of the school to
28 reasonably reflect the racial and ethnic composition of the general population residing within
29 the local school administrative unit in which the school is located or the racial and ethnic
30 composition of the special population that the school seeks to serve residing within the local
31 school administrative unit in which the school is located. The school shall be subject to any
32 court-ordered desegregation plan in effect for the local school administrative unit."

33 **SECTION 2.(b)** G.S. 115C-218.55 reads as rewritten:

34 **"§ 115C-218.55. Nondiscrimination in charter schools.**

35 A charter school shall not discriminate against any student on the basis of ethnicity,
36 national origin, gender, gender identity, sexual orientation, or disability."



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2 **PART III. OPPORTUNITY SCHOLARSHIPS**

3 **SECTION 3.(a)** G.S. 115C-562.5(c1) reads as rewritten:

4 "(c1) A nonpublic school shall not discriminate with respect to ~~the categories listed in 42~~
5 ~~U.S.C. § 2000d, as that statute read on January 1, 2014,~~ color, disability, national origin, race,
6 religion, gender identity, or sexual orientation."

7 **SECTION 3.(b)** Part 2A of Article 39 of Chapter 115C of the General Statutes is
8 amended by adding a new section to read:

9 "**§ 115C-562.8. Report testing results.**

10 A nonpublic school that accepts eligible students receiving scholarship grants shall report to
11 the Department of Public Instruction the results of all tests required pursuant to Article 39 of
12 this Chapter. The Department shall publish this information on its Web site in an aggregated
13 and easy-to-understand manner."

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15 **PART IV. EFFECTIVE DATE**

16 **SECTION 4.** This act is effective when it becomes law and applies beginning with
17 the 2017-2018 school year.