

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 324
Committee Substitute Favorable 3/23/21
Committee Substitute #2 Favorable 5/11/21
Fourth Edition Engrossed 5/12/21

Short Title: Ensuring Dignity & Nondiscrimination/Schools.

(Public)

Sponsors:

Referred to:

March 18, 2021

A BILL TO BE ENTITLED

AN ACT TO DEMONSTRATE THE GENERAL ASSEMBLY'S INTENT THAT STUDENTS, TEACHERS, ADMINISTRATORS, AND OTHER SCHOOL EMPLOYEES RECOGNIZE THE EQUALITY AND RIGHTS OF ALL PERSONS AND TO PROHIBIT PUBLIC SCHOOL UNITS FROM PROMOTING CERTAIN CONCEPTS THAT ARE CONTRARY TO THAT INTENT.

The General Assembly of North Carolina enacts:

SECTION 1. Article 8 of Chapter 115C of the General Statutes is amended by adding a new section to read:

§ 115C-81.61. Ensuring dignity and nondiscrimination in schools.

(a) The General Assembly finds that Article I, Section 1 of the Constitution of this State recognizes the equality and rights of all persons. Therefore, it is the intent of the General Assembly that students, teachers, administrators, and other school employees respect the dignity of others, acknowledge the right of others to express differing opinions, and foster and defend intellectual honesty, freedom of inquiry and instruction, and freedom of speech and association.

(b) For the purposes of this section, "promote" shall mean any of the following:

(1) Compelling students, teachers, administrators, or other school employees to affirm or profess belief in the concepts described in subsection (c) of this section.

(2) Including concepts described in subsection (c) of this section in curricula, reading lists, seminars, workshops, trainings, or other educational or professional settings in a manner that could reasonably give rise to the appearance of official sponsorship, approval, or endorsement.

(3) Contracting with, hiring, or otherwise engaging speakers, consultants, diversity trainers, and other persons for the purpose of advocating concepts described in subsection (c) of this section.

(c) Public school units shall not promote the following concepts:

(1) One race or sex is inherently superior to another race or sex.

(2) An individual, solely by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.

(3) An individual should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex.

(4) An individual's moral character is necessarily determined by his or her race or sex.



- 1 (5) An individual, solely by virtue of his or her race or sex, bears responsibility
- 2 for actions committed in the past by other members of the same race or sex.
- 3 (6) Any individual, solely by virtue of his or her race or sex, should feel
- 4 discomfort, guilt, anguish, or any other form of psychological distress.
- 5 (7) That the belief that the United States is a meritocracy is an inherently racist or
- 6 sexist belief, or that the United States was created by members of a particular
- 7 race or sex for the purpose of oppressing members of another race or sex.

8 (d) Nothing in this section shall be construed as prohibiting the following:

- 9 (1) Speech protected by the First Amendment of the U.S. Constitution.
- 10 (2) Accessing materials on an individual basis that advocate concepts described
- 11 in subsection (c) of this section for the purpose of research or independent
- 12 study.
- 13 (3) Stating concepts described in subsection (c) of this section or assigning
- 14 materials that incorporate such concepts for educational purposes in contexts
- 15 that make clear the public school unit does not sponsor, approve, or endorse
- 16 such concepts or works."

17 **SECTION 2.** G.S. 115C-218.85(a) is amended by adding a new subdivision to read:

18 "(6) A charter school shall comply with G.S. 115C-81.61 by ensuring dignity and

19 nondiscrimination at the charter school."

20 **SECTION 3.** G.S. 115C-238.66(1) reads as rewritten:

21 "(1) Academic program. –

22 ...

23 f. The board of directors shall comply with G.S. 115C-81.61 by ensuring

24 dignity and nondiscrimination at the regional school."

25 **SECTION 4.** G.S. 116-239.8(b)(2) reads as rewritten:

26 "(2) Laboratory school course of study. –

27 ...

28 e. The chancellor shall comply with G.S. 115C-81.61 by ensuring

29 dignity and nondiscrimination at the laboratory school."

30 **SECTION 5.** Section 6(d) of S.L. 2018-32 is amended by adding a new subdivision

31 to read:

32 "(5a) G.S. 115C-81.61, Ensuring dignity and nondiscrimination in school."

33 **SECTION 6.** This act becomes effective July 1, 2021.