

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

H.B. 250  
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HOUSE PRINCIPAL CLERK

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HOUSE DRH30135-MK-59 (02/26)

Short Title: Charter School Enrollment.

(Public)

Sponsors: Representatives Hardister, Brandon, Stam, and Lambeth (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE FOR ENROLLMENT PRIORITY AND PROCEDURES FOR  
3 CERTAIN STUDENTS APPLYING TO CHARTER SCHOOLS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 115C-238.29F(g) reads as rewritten:

6 "(g) Admission Requirements. –

- 7 (1) Any child who is qualified under the laws of this State for admission to a  
8 public school is qualified for admission to a charter school.
- 9 (2) No local board of education shall require any student enrolled in the local  
10 school administrative unit to attend a charter school.
- 11 (3) Admission to a charter school shall not be determined according to the  
12 school attendance area in which a student resides, except that any local  
13 school administrative unit in which a public school converts to a charter  
14 school shall give admission preference to students who reside within the  
15 former attendance area of that school.
- 16 (4) Admission to a charter school shall not be determined according to the local  
17 school administrative unit in which a student resides.
- 18 (5) A charter school shall not discriminate against any student on the basis of  
19 ethnicity, national origin, gender, or disability. Except as otherwise provided  
20 by law or the mission of the school as set out in the charter, the school shall  
21 not limit admission to students on the basis of intellectual ability, measures  
22 of achievement or aptitude, athletic ability, disability, race, creed, gender,  
23 national origin, religion, or ancestry. The charter school may give enrollment  
24 priority to (i) siblings of currently enrolled students who were admitted to  
25 the charter school in a previous year, (ii) siblings who are applying for  
26 admission to the charter school at the same time, and ~~to (iii) children of the~~  
27 school's principal, teachers, and teacher assistants/employees. For the  
28 purposes of this subdivision, "siblings" includes half siblings and  
29 stepsiblings. In addition, and only for its first year of operation, the charter  
30 school may give enrollment priority to children of the initial members of the  
31 charter school's board of directors, so long as (i) these children are limited to  
32 no more than ten percent (10%) of the school's total enrollment or to 20  
33 students, whichever is less, and (ii) the charter school is not a former public  
34 or private school. If a charter school does not provide enrollment priority to  
35 siblings applying for admission at the same time as authorized by this  
36 subdivision multiple birth siblings apply for admission to a charter school



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1 and a lottery is needed under G.S. 115C-238.29F(g)(6), the charter school  
2 shall enter one surname into the lottery to represent all of the ~~multiple birth~~  
3 ~~siblings~~ siblings applying at that same time. If that surname of the ~~multiple~~  
4 ~~birth~~ ~~siblings~~ is selected, then all of the ~~multiple birth~~ ~~siblings~~ shall be  
5 admitted. Within one year after the charter school begins operation, the  
6 population of the school shall reasonably reflect the racial and ethnic  
7 composition of the general population residing within the local school  
8 administrative unit in which the school is located or the racial and ethnic  
9 composition of the special population that the school seeks to serve residing  
10 within the local school administrative unit in which the school is located.  
11 The school shall be subject to any court-ordered desegregation plan in effect  
12 for the local school administrative unit.

13 (5a) A charter school may give enrollment priority to a student who was enrolled  
14 in the charter school within the two previous school years but left the school  
15 to participate in extraordinary educational opportunities available to the  
16 student or because of the vocational opportunities of the student's parent.

17 (6) During each period of enrollment, the charter school shall enroll an eligible  
18 student who submits a timely application, unless the number of applications  
19 exceeds the capacity of a program, class, grade level, or building. In this  
20 case, students shall be accepted by lot. Once enrolled, students are not  
21 required to reapply in subsequent enrollment periods.

22 (7) Notwithstanding any law to the contrary, a charter school may refuse  
23 admission to any student who has been expelled or suspended from a public  
24 school under G.S. 115C-390.5 through G.S. 115C-390.11 until the period of  
25 suspension or expulsion has expired."

26 **SECTION 2.** This act is effective when it becomes law and applies beginning with  
27 the 2013-2014 school year.