

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

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HOUSE BILL 531  
PROPOSED COMMITTEE SUBSTITUTE H531-PCS40447-RQ-10

Short Title: Chtr Schs & Out-of-State/Foreign Exch Stud.

(Public)

Sponsors:

Referred to:

March 30, 2023

1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW CHARTER SCHOOLS TO ADMIT OUT-OF-STATE STUDENTS  
3 AND FOREIGN EXCHANGE STUDENTS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 115C-218.45 is amended by adding the following new  
6 subsections to read:

7 "(h1) Any charter school that is unable to fill its current enrollment with students qualified  
8 under the laws of this State for admission to a public school may enroll out-of-state students who  
9 are domiciliaries of other states. The charter school shall charge the out-of-state students a tuition  
10 amount of at least fifty percent (50%) of the total of the per pupil allocation of the local  
11 appropriation for the county in which the charter school is located and the per pupil State  
12 appropriation for that school year but no more than one hundred percent (100%) of the total of  
13 the per pupil allocation of the local appropriation for the county in which the charter school is  
14 located and the per pupil State appropriation for that school year. The number of out-of-state  
15 students who are domiciliaries of other states who are enrolled in a charter school may not exceed  
16 ten percent (10%) of the total number of students enrolled in the charter school.

17 (h2) For the purposes of this subsection, a foreign exchange student is a student who is  
18 domiciled in a foreign country and has come to the United States on a valid student or exchange  
19 visa pursuant to the Immigration and Nationality Act, 8 U.S.C. § 1101, et seq. A charter school  
20 may enroll foreign exchange students as follows:

21 (1) No more than two foreign exchange students per high school grades nine  
22 through 12 shall be enrolled in any given school year at the charter school.

23 (2) The charter school may charge the foreign exchange students a tuition amount  
24 of at least fifty percent (50%) of the total of the per pupil allocation of the  
25 local appropriation for the county in which the charter school is located and  
26 the per pupil State appropriation for that school year but no more than one  
27 hundred percent (100%) of the total of the per pupil allocation of the local  
28 appropriation for the county in which the charter school is located and the per  
29 pupil State appropriation for that school year.

30 (3) Foreign exchange students shall not count toward the enrollment capacity or  
31 cap for any program, class, building, or grade levels for grades nine through  
32 12 and shall not be subject to any lottery process used by the charter school  
33 for enrollment."

34 **SECTION 2.** This act is effective when it becomes law and applies beginning with  
35 the admissions process for the 2024-2025 school year.



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