

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

H.B. 187
Feb 23, 2023
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40007-NG-3

Short Title: Equality in Education.

(Public)

Sponsors: Representative Torbett.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO DEMONSTRATE THE GENERAL ASSEMBLY'S INTENT THAT STUDENTS,
3 TEACHERS, ADMINISTRATORS, AND OTHER SCHOOL EMPLOYEES RECOGNIZE
4 THE EQUALITY AND RIGHTS OF ALL PERSONS AND TO PROHIBIT PUBLIC
5 SCHOOL UNITS FROM PROMOTING CERTAIN CONCEPTS THAT ARE CONTRARY
6 TO THAT INTENT.

7 The General Assembly of North Carolina enacts:

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

10 "**§ 115C-81.61. Ensuring dignity and nondiscrimination in schools.**

11 (a) The General Assembly finds that Section 1 of Article I of the Constitution of this
12 State recognizes the equality and rights of all persons. Therefore, it is the intent of the General
13 Assembly that students, teachers, administrators, and other school employees respect the dignity
14 of others, acknowledge the right of others to express differing opinions, and foster and defend
15 intellectual honesty, freedom of inquiry and instruction, and freedom of speech and association
16 and that the public schools of North Carolina employ teaching methods and procedures to further
17 that intent.

18 (b) For the purposes of this section, "promote" shall mean compelling students, teachers,
19 administrators, or other school employees to affirm or profess belief in the concepts described in
20 subsection (c) of this section.

21 (c) Public school units shall not promote that:

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

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

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

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

29 (5) An individual, solely by virtue of his or her race or sex, bears responsibility
30 for actions committed in the past by other members of the same race or sex.

31 (6) Any individual, solely by virtue of his or her race or sex, should feel
32 discomfort, guilt, anguish, or any other form of psychological distress.

33 (7) A meritocracy is inherently racist or sexist.

34 (8) The United States was created by members of a particular race or sex for the
35 purpose of oppressing members of another race or sex.

36 (9) The United States government should be violently overthrown.



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- 1 (10) Particular character traits, values, moral or ethical codes, privileges, or beliefs
2 should be ascribed to a race or sex or to an individual because of the
3 individual's race or sex.
- 4 (11) The rule of law does not exist, but instead is a series of power relationships
5 and struggles among racial or other groups.
- 6 (12) All Americans are not created equal and are not endowed by their Creator with
7 certain unalienable rights, including life, liberty, and the pursuit of happiness.
- 8 (13) Governments should deny to any person within the government's jurisdiction
9 the equal protection of the law.
- 10 (d) Public school units shall (i) notify the Department of Public Instruction and (ii) make
11 general information available on the public school unit's website, with detailed information
12 available upon request, at least 30 days prior to any of the following:
- 13 (1) Providing instruction regarding concepts described in subsection (c) of this
14 section in curricula, reading lists, seminars, workshops, trainings, or other
15 educational or professional settings.
- 16 (2) Contracting with, hiring, or otherwise engaging speakers, consultants,
17 diversity trainers, and other persons for the purpose of discussing concepts
18 described in subsection (c) of this section.
- 19 (3) Contracting with, hiring, or otherwise engaging speakers, consultants,
20 diversity trainers, and other persons who have previously advocated for the
21 concepts described in subsection (c) of this section.
- 22 (e) Subsections (c) and (d) of this section shall not apply to the following:
- 23 (1) Speech protected by the First Amendment of the U.S. Constitution.
- 24 (2) Utilizing materials, as part of a course of instruction, curriculum, instructional
25 program, or supplemental instruction, that include the following:
- 26 a. The history of an ethnic group, as described in textbooks and
27 instructional materials adopted in accordance with Part 3 of this
28 Article.
- 29 b. The impartial discussion of controversial aspects of history.
- 30 c. The impartial instruction on the historical oppression of a particular
31 group of people based on race, ethnicity, class, nationality, religion, or
32 geographic region.
- 33 d. Historical documents relevant to sub-subdivisions a. through c. of this
34 subdivision that are permitted under G.S. 115C-47(29c).
- 35 (3) Accessing materials on an individual basis that advocate concepts described
36 in subsection (c) of this section for the purpose of research or independent
37 study.
- 38 (4) Stating concepts described in subsection (c) of this section or assigning
39 materials that incorporate concepts for educational purposes in contexts that
40 make clear the public school unit does not sponsor, approve, or endorse such
41 concepts or works."
- 42 **SECTION 2.** G.S. 115C-218.85(a) is amended by adding a new subdivision to read:
43 "(6) A charter school shall comply with G.S. 115C-81.61 in order to ensure dignity
44 and nondiscrimination at the charter school."
- 45 **SECTION 3.** G.S. 115C-238.66(1) reads as rewritten:
46 "(1) Academic program. –
47 ...
48 f. The board of directors shall comply with G.S. 115C-81.61 in order to
49 ensure dignity and nondiscrimination at the regional school."
- 50 **SECTION 4.** G.S. 116-239.8(b)(2) reads as rewritten:
51 "(2) Laboratory school course of study. –

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e. The chancellor shall comply with G.S. 115C-81.61 in order to ensure dignity and nondiscrimination at the laboratory school."

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

"(5a) G.S. 115C-81.61, Ensuring Dignity and Nondiscrimination in Schools."

SECTION 6. This act is effective when it becomes law.