

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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SENATE BILL DRS15197-MT-84

Short Title: Eliminating "DEI" in Public Higher Ed. (Public)

Sponsors: Senators Berger, Overcash, and Corbin (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

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

Whereas, President Trump issued an executive order on January 21, 2025, to ensure that higher education recipients of federal funds comply with all applicable laws prohibiting illegal discrimination and comply with the decision of the United States Supreme Court in *Students for Fair Admissions v. Harvard*, 600 U.S. 181 (2023); and

Whereas, in the last fiscal year, North Carolina received \$2.4 billion in federal funding for public higher education, demonstrating the importance of ensuring that public institutions of higher education remain in compliance with federal regulations to protect education funding; and

Whereas, the General Assembly is committed to ensuring all North Carolina students enrolled in public institutions of higher education receive a meaningful education based on academic excellence, critical thinking, and the free exchange of ideas; and

Whereas, it is the State's role to protect the practice of higher education for students and professors; and

Whereas, so-called "DEI" programs promote a worldview that demands people, especially young students, judge others based on their race, sex, or other factors and attack true diversity of thought, stifle opportunity, and stoke division; Now, therefore, The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 116-11 is amended by adding a new subdivision to read:

"(9c) The Board of Governors shall adopt a policy on diversity, equity, and inclusion at constituent institutions of The University of North Carolina that complies with Article 39 of Chapter 116 of the General Statutes."

SECTION 1.(b) G.S. 115D-5 is amended by adding the following new subsections to read:

"(aa) The State Board shall adopt a policy on diversity, equity, and inclusion at community colleges that complies with Article 39 of Chapter 116 of the General Statutes.

(bb) The State Board shall adopt a policy prohibiting community colleges from establishing, maintaining, or otherwise implementing a group or committee designed to investigate a bias incident. For purposes of this subsection, a "bias incident" includes any conduct, speech, or expression that the community college, group, or committee labels as



1 intimidating, demeaning, mocking, degrading, or marginalizing an individual or group based on
2 the perceived or actual identity of that individual or group."

3 **SECTION 2.** Chapter 116 of the General Statutes is amended by adding a new
4 Article to read:

5 "Article 39.

6 "Diversity, Equity, and Inclusion.

7 **"§ 116-415. Intent.**

8 The General Assembly finds that Section 1 of Article I of the Constitution of this State
9 recognizes the equality and rights of all persons. Therefore, it is the intent of the General
10 Assembly that students, professors, administrators, and other employees of public institutions of
11 higher education respect the dignity of others, acknowledge the right of others to express
12 differing opinions, and foster and defend intellectual honesty, freedom of inquiry and instruction,
13 and freedom of speech and association and that the public institutions of higher education of this
14 State employ teaching methods and procedures to further that intent.

15 **"§ 116-416. Definitions.**

16 For the purposes of this Article, the following definitions apply:

17 (1) Applicable governing board. – As follows:

18 a. For a constituent institution of The University of North Carolina, the
19 Board of Governors of The University of North Carolina.

20 b. For a community college, the State Board of Community Colleges.

21 (2) Chancellor. – The chancellor, president, or chief administrative officer of a
22 public institution of higher education.

23 (3) Discriminatory practice. – Any of the following based on an individual's
24 protected classification under federal law:

25 a. Treating an individual differently solely to advantage or disadvantage
26 that individual as compared to other individuals or groups.

27 b. Excluding an individual from employment, except as allowed under
28 federal law.

29 c. Excluding an individual from participation in an educational program
30 or activity, except as allowed under federal law.

31 (4) Divisive concept. – Any of the following concepts:

32 a. One race or sex is inherently superior to another race or sex.

33 b. An individual, solely by virtue of his or her race or sex, is inherently
34 racist, sexist, or oppressive.

35 c. An individual should be discriminated against or receive adverse
36 treatment solely or partly because of his or her race or sex.

37 d. An individual's moral character is necessarily determined by his or her
38 race or sex.

39 e. An individual, solely by virtue of his or her race or sex, bears
40 responsibility for actions committed in the past by other members of
41 the same race or sex.

42 f. Any individual, solely by virtue of his or her race or sex, should feel
43 discomfort, guilt, anguish, or any other form of psychological distress.

44 g. A meritocracy is inherently racist or sexist.

45 h. The United States was created by members of a particular race or sex
46 for the purpose of oppressing members of another race or sex.

47 i. Particular character traits, values, moral or ethical codes, privileges, or
48 beliefs should be ascribed to a race or sex or to an individual because
49 of the individual's race or sex.

50 j. The rule of law does not exist but instead is a series of power
51 relationships and struggles among racial or other groups.

1 k. All Americans are not created equal and are not endowed by their
 2 Creator with certain unalienable rights, including life, liberty, and the
 3 pursuit of happiness.

4 l. Governments should deny to any person within the government's
 5 jurisdiction the equal protection of the law.

6 (5) Instruction. – Includes content taught or presented to students by employees,
 7 contractors, or individuals otherwise engaged by a public institution of higher
 8 education.

9 (6) Public institution of higher education. – A constituent institution of The
 10 University of North Carolina or a community college as defined in
 11 G.S. 115D-2(2).

12 **"§ 116-417. Ensuring dignity and nondiscrimination in public institutions of higher**
 13 **education.**

14 (a) Public institutions of higher education shall not do any of the following:

15 (1) Engage in or advocate for discriminatory practices.

16 (2) Compel students, professors, administrators, or other employees to affirm or
 17 profess belief in divisive concepts.

18 (3) Endorse divisive concepts.

19 (4) Maintain an office, division, or other unit (i) promoting discriminatory
 20 practices or divisive concepts or (ii) referred to as or named diversity, equity,
 21 and inclusion.

22 (5) Employ or assign an employee whose duties for a public institution of higher
 23 education include promoting discriminatory practices or divisive concepts.

24 (6) Require completion of a course related to divisive concepts for purposes of
 25 awarding a degree or completion of a program, except as provided in
 26 subdivision (5) of subsection (b) of this section.

27 (b) This section shall not be construed to limit any of the following:

28 (1) Speech protected by the First Amendment of the U.S. Constitution.

29 (2) Materials accessed on an individual basis that advocate divisive concepts or
 30 discriminatory practices for the purpose of research or independent study.

31 (3) Policies or procedures required by State or federal law.

32 (4) Instruction or discussion on divisive concepts that makes it clear the public
 33 institution of higher education does not endorse divisive concepts.

34 (5) In the discretion of the chancellor, a course related to divisive concepts that is
 35 required for a specific degree program. The chancellor shall report to the
 36 applicable governing board on any course that is required under this
 37 subdivision.

38 (c) Each public institution of higher education shall certify annually in writing by
 39 September 1 to the applicable governing board that the public institution of higher education
 40 fully complies with the requirements of this section, including any actions taken to achieve
 41 compliance. The applicable governing board shall summarize the certifications in a consolidated
 42 report by January 15 annually to the Joint Legislative Commission on Governmental Operations
 43 and the Joint Legislative Education Oversight Committee."

44 **SECTION 3.** For the certification due September 1, 2025, as required by
 45 G.S. 116-417(c), as enacted by Section 2 of this act, each public institution of higher education
 46 shall also include information on the initial implementation of this act, including reductions in
 47 force and spending, changes to job titles and position descriptions, and how savings achieved
 48 from these actions have been directed.

49 **SECTION 4.** G.S. 116-300 is amended by adding the following new subdivision to
 50 read:

1 "(9) The constituent institution shall not establish, maintain, or otherwise
2 implement a group or committee designed to investigate a bias incident. For
3 purposes of this subdivision, a "bias incident" includes any conduct, speech,
4 or expression that the constituent institution, group, or committee labels as
5 intimidating, demeaning, mocking, degrading, or marginalizing an individual
6 or group based on the perceived or actual identity of that individual or group."

7 **SECTION 5.** If any provision of this act or its application is held invalid, the
8 invalidity does not affect other provisions or applications of this act that can be given effect
9 without the invalid provisions or application and, to this end, the provisions of this act are
10 severable.

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