

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

FILED SENATE
Mar 3, 2025
S.B. 227
PRINCIPAL CLERK

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SENATE BILL DRS45117-BE-3A

Short Title: Eliminating "DEI" in Public Education.

(Public)

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

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 Whereas, President Trump issued an executive order on January 29, 2025, to protect
8 American students and ensure that K-12 recipients of federal funds comply with all applicable
9 laws prohibiting discrimination and protecting parental rights; and

10 Whereas, in the last fiscal year, North Carolina received \$3.1 billion in federal funding
11 for K-12 education, demonstrating the importance of ensuring that public schools remain in
12 compliance with federal regulations to protect education funding; and

13 Whereas, the General Assembly is committed to ensuring all North Carolina public
14 school students receive a meaningful education based on academic excellence, critical thinking,
15 and the free exchange of ideas; and

16 Whereas, it is the State's role to protect the practice of education for public school
17 students and teachers; and

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

22 **SECTION 1.** G.S. 115C-12(9c) is amended by adding a new sub-subdivision to read:

23 "d. The Board shall not approve, provide, recommend, or require
24 professional development that is prohibited by
25 G.S. 115C-76.210(a)(4)."

26 **SECTION 2.** Article 7B of Chapter 115C of the General Statutes is amended by
27 adding the following new sections to read:

28 "**§ 115C-76.200. Intent.**

29 The General Assembly finds that Section 1 of Article I of the Constitution of this State
30 recognizes the equality and rights of all persons. Therefore, it is the intent of the General
31 Assembly that students, teachers, administrators, and other school employees respect the dignity
32 of others, acknowledge the right of others to express differing opinions, and foster and defend
33 intellectual honesty, freedom of inquiry and instruction, and freedom of speech and association
34 and that the public schools of this State employ teaching methods and procedures to further that
35 intent.

36 "**§ 115C-76.205. Definitions.**



* D R S 4 5 1 1 7 - B E - 3 A *

For the purposes of this Part, the following definitions apply:

- (1) Discriminatory practice. – Any of the following based on an individual's protected classification under federal law:
 - a. Treating an individual differently solely to advantage or disadvantage that individual as compared to other individuals or groups.
 - b. Excluding an individual from employment, except as allowed under federal law.
 - c. Excluding an individual from participation in an educational program or activity, except as allowed under federal law.
- (2) Divisive concept. – Any of the following concepts:
 - a. One race or sex is inherently superior to another race or sex.
 - b. An individual, solely by virtue of his or her race or sex, is inherently racist, sexist, or oppressive.
 - c. An individual should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex.
 - d. An individual's moral character is necessarily determined by his or her race or sex.
 - e. An individual, solely by virtue of his or her race or sex, bears responsibility for actions committed in the past by other members of the same race or sex.
 - f. Any individual, solely by virtue of his or her race or sex, should feel discomfort, guilt, anguish, or any other form of psychological distress.
 - g. A meritocracy is inherently racist or sexist.
 - h. The United States was created by members of a particular race or sex for the purpose of oppressing members of another race or sex.
 - i. Particular character traits, values, moral or ethical codes, privileges, or beliefs should be ascribed to a race or sex or to an individual because of the individual's race or sex.
 - j. The rule of law does not exist but instead is a series of power relationships and struggles among racial or other groups.
 - k. All Americans are not created equal and are not endowed by their Creator with certain unalienable rights, including life, liberty, and the pursuit of happiness.
 - l. Governments should deny to any person within the government's jurisdiction the equal protection of the law.
- (3) Instruction. – Includes content taught or presented to students by employees, contractors, or individuals otherwise engaged by a public school unit.
- (4) Professional development. – Includes seminars, workshops, and other trainings delivered by employees, contractors, or individuals otherwise engaged by a public school unit.

"§ 115C-76.210. Ensuring dignity and nondiscrimination in schools.

- (a) Public school units shall not do any of the following:
 - (1) Engage in or advocate for discriminatory practices.
 - (2) Compel students, teachers, administrators, or other school employees to affirm or profess belief in divisive concepts.
 - (3) Provide instruction to students on divisive concepts.
 - (4) Engage in any of the following with respect to professional development that includes or advocates for divisive concepts or discriminatory practices:
 - a. Approve, recommend, or require a professional educator to participate in the professional development.
 - b. Develop, purchase, or provide the professional development.

- 1 c. Contract with an entity for the professional development.
2 d. Provide an entity access for the purpose of delivering the professional
3 development.
4 (5) Maintain an office, division, or other unit (i) promoting discriminatory
5 practices or divisive concepts or (ii) referred to as or named diversity, equity,
6 and inclusion.
7 (6) Employ or assign an employee whose duties for a public school unit include
8 promoting discriminatory practices or divisive concepts.
9 (b) This section shall not be construed to limit any of the following:
10 (1) Speech protected by the First Amendment of the United States Constitution.
11 (2) Materials accessed on an individual basis that advocate divisive concepts or
12 discriminatory practices for the purpose of research or independent study.
13 (3) Policies, procedures, or professional development required by State or federal
14 law.
15 (4) Instruction on divisive concepts in accordance with the standard course of
16 study in contexts that make clear the public school unit does not sponsor,
17 approve, or endorse any divisive concepts, including instruction related to the
18 following:
19 a. The history of an ethnic group, as described in textbooks and
20 instructional materials adopted in accordance with Part 3 of Article 8
21 of this Chapter.
22 b. The impartial discussion of controversial aspects of history.
23 c. The impartial discussion of the historical oppression of a particular
24 group of people based on race, ethnicity, class, nationality, religion, or
25 geographic region.
26 d. Historical documents that are permitted under G.S. 115C-47(29c).
27 (c) Each public school unit shall certify annually in writing by September 1 to the
28 Department of Public Instruction that the public school unit fully complies with the requirements
29 of this section, including any actions taken to achieve compliance. The Department shall
30 summarize the certifications in a consolidated report by January 15 annually to the Joint
31 Legislative Commission on Governmental Operations and the Joint Legislative Education
32 Oversight Committee."

33 **SECTION 3.** G.S. 115C-270.30 is amended by adding a new subsection to read:

34 "(b2) Professional Educator Licensure Renewal. – No continuing education credit shall be
35 awarded for professional development that is prohibited by G.S. 115C-76.210(a)(4)."

36 **SECTION 4.** For the certification due September 1, 2025, as required by
37 G.S. 115C-76.210(c), as enacted by Section 2 of this act, each public school unit shall also
38 include information on the initial implementation of this act, including reductions in force and
39 spending, changes to job titles and position descriptions, and how savings achieved from these
40 actions have been directed.

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

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