

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2025

**H.B. 981**  
**Apr 10, 2025**  
**HOUSE PRINCIPAL CLERK**

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HOUSE BILL DRH30381-NH-172

Short Title: LSAU Open Enrollment.

(Public)

Sponsors: Representative Schietzelt.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO ALLOW STUDENTS TO ATTEND ANY SCHOOL WITHIN THE LOCAL  
3 SCHOOL ADMINISTRATIVE UNIT IN WHICH THE STUDENT IS DOMICILED.

4 The General Assembly of North Carolina enacts:

5 SECTION 1.(a) G.S. 115C-366 reads as rewritten:

6 "**§ 115C-366. Assignment of student to a particular school.**

7 (a) All students under the age of 21 years who are domiciled in a school administrative  
8 unit who have not been removed from school for cause, or who have not obtained a high school  
9 diploma, are entitled to all the privileges and advantages of the public schools to which they are  
10 assigned or accepted to by the local boards of education. The assignment of students living in  
11 one local school administrative unit or district to a school located in another local school  
12 administrative unit or district, shall have no effect upon the right of the local school  
13 administrative unit or district to which the students are assigned to levy and collect any  
14 supplemental tax heretofore or hereafter voted in that local school administrative unit or district.

15 ...

16 (b) ~~Each~~ Subject to the requirements of G.S. 115C-366.5, each local board of education  
17 shall assign to a public school each student qualified for assignment under this section. Except  
18 as otherwise provided by law, the authority of each board of education in the matter of assignment  
19 of children to the public schools shall be full and complete, and its decision as to the assignment  
20 of any child to any school shall be final.

21 ...."

22 SECTION 1.(b) Article 25 of Chapter 115C of the General Statutes is amended by  
23 adding a new section to read:

24 "**§ 115C-366.5. Open enrollment.**

25 (a) Subject to the provisions of this section, a parent or guardian of a student may request  
26 that the student be enrolled in any school within the local school administrative unit in which the  
27 parent is considered domiciled in pursuant to G.S. 115C-366.

28 (b) Each local board of education shall adopt an open enrollment plan to allow for  
29 students to apply to attend a school within the same local school administrative unit other than  
30 the school of the assignment area in which the student is domiciled. The board shall make the  
31 plan available on its website. The plan shall include provisions that address, at a minimum, the  
32 following policies and procedures:

33 (1) An application process for the open enrollment program. Local boards of  
34 education are only required to accept applications for alternate enrollment  
35 during enrollment periods and are only required to have two enrollment



- 1                   periods per year, one at the beginning of the school year and one  
2                   approximately halfway through the school year.
- 3                   (2)   A process that allows parents to declare school preferences.
- 4                   (3)   A lottery procedure to be used if there are more applicants than a school has  
5                   capacity to accept.
- 6                   (4)   The availability of transportation.
- 7                   (c)   If a student has been registered at a school pursuant to the provisions of this section,  
8                   that student shall be allowed to continue to attend that school without being required to apply to  
9                   the open enrollment program again in subsequent years, unless the child is voluntarily unenrolled  
10                   from the school.
- 11                   (d)   A local school administrative unit shall determine and publish on its website the  
12                   capacity of each grade-level at each school to enroll additional students by the first day of each  
13                   month. If the local school administrative unit determines there is no capacity in a grade-level,  
14                   then the local school administrative unit shall maintain a waitlist of students that have completed  
15                   an application to attend each school and shall regularly inform the parent or legal guardian of the  
16                   student's position on the waitlist.
- 17                   (e)   A local board of education shall not be required to do any of the following in  
18                   implementing an open enrollment plan under this section:
- 19                   (1)   Establish or offer any particular program in a school if the program is not  
20                   currently offered in the school.
- 21                   (2)   Alter or waive any established eligibility criteria for participation in a  
22                   particular school, including course prerequisites and required levels of  
23                   performance.
- 24                   (f)   A local school administrative unit may deny an enrollment request of a student that is  
25                   not domiciled in the assignment area of certain school for any of the following reasons:
- 26                   (1)   The school requested does not offer appropriate programs or is not structured  
27                   or equipped with the necessary facilities to meet the special needs of the  
28                   student.
- 29                   (2)   The student does not meet the established eligibility criteria for enrollment at  
30                   the school, including course prerequisites and required levels of performance.
- 31                   (3)   A desegregation plan is in effect for the local school administrative unit, and  
32                   denial of the request is necessary to enable compliance with the plan.
- 33                   (4)   The student has been suspended or expelled from a public school under  
34                   G.S. 115C-390.5 through G.S. 115C-390.11 until the period of suspension or  
35                   expulsion has expired.
- 36                   (g)   A student may appeal a denied enrollment request or a revocation of an approved  
37                   enrollment request under the following procedure:
- 38                   (1)   Within 60 days of receiving the denial or revocation, the student or parent or  
39                   legal guardian of a student requests an administrative review by the local  
40                   board of education of the local school administrative unit that issued the denial  
41                   or revocation.
- 42                   (2)   The local board of education shall consider the appeal at its next scheduled  
43                   meeting and issue a decision on the appeal in writing.
- 44                   (3)   Within 90 days of receiving the written decision by the local board of  
45                   education, a student or parent or legal guardian of a student may appeal the  
46                   decision of the local board by submitting a request to the State Board of  
47                   Education.
- 48                   (4)   The State Board of Education shall consider the appeal at its next scheduled  
49                   meeting, where the student, the student's parent or legal guardian, and a  
50                   representative from the local school administrative unit that issued the denial  
51                   or revocation may address the Board."

1                   **SECTION 2.** The State Board of Education shall adopt rules to establish the appeals  
2 process authorized by this act.

3                   **SECTION 3.** This act is effective when it becomes law and applies beginning with  
4 the registration period for the 2025-2026 school year.