

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 1274
HOUSE BILL 990

1 AN ACT TO PROTECT THE NEIGHBORHOOD SCHOOL SYSTEM AND TO PROHIBIT
2 THE INVOLUNTARY BUSSING OF PUPILS OUTSIDE THE DISTRICT IN WHICH
3 THEY RESIDE.
4

5 The General Assembly of North Carolina do enact:
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7 **Section 1.** There is hereby created a new Section of Chapter 115 of the General
8 Statutes to be codified as G.S. 115-176.1 and to read as follows:

9 "**G.S. 115-176.1.** Assignment of pupils based on race, creed, color or national origin
10 prohibited. No person shall be refused admission into or be excluded from any public school in
11 this State on account of race, creed, color or national origin. No school attendance district or
12 zone shall be drawn for the purpose of segregating persons of various races, creeds, colors or
13 national origins from the community.

14 Where administrative units have divided the geographic area into attendance districts or
15 zones, pupils shall be assigned to schools within such attendance districts; provided, however,
16 that the board of education of an administrative unit may assign any pupil to a school outside of
17 such attendance district or zone in order that such pupil may attend a school of a specialized
18 kind including but not limited to a vocational school or school operated for, or operating
19 programs for, pupils mentally or physically handicapped, or for any other reason which the
20 board of education in its sole discretion deems sufficient. No student shall be assigned or
21 compelled to attend any school on account of race, creed, color or national origin, or for the
22 purpose of creating a balance or ratio of race, religion or national origins. Involuntary bussing
23 of students in contravention of this Article is prohibited, and public funds shall not be used for
24 any such bussing.

25 The provisions of this Article shall not apply to a temporary assignment due to the
26 unsuitability of a school for its intended purpose nor to any assignment or transfer necessitated
27 by overcrowded conditions or other circumstances which, in the sole discretion of the School
28 Board, require assignment or reassignment.

29 The provisions of this Article shall not apply to an application for the assignment or re-
30 assignment by the parent, guardian or person standing in loco parentis of any pupil or to any
31 assignment made pursuant to a choice made by any pupil who is eligible to make such choice
32 pursuant to the provisions of a freedom of choice plan voluntarily adopted by the board of
33 education of an administrative unit."

34 **Sec. 2.** All laws and clauses of laws in conflict with this Act are hereby repealed.

35 **Sec. 3.** If part of the Act is held to be in violation of the Constitution of the United
36 States or North Carolina, such part shall be severed and the remainder shall remain in full force
37 and effect.

38 **Sec. 4.** This Act shall be in full force and effect upon its ratification.

39 In the General Assembly read three times and ratified, this the 2nd day of July,
40 1969.