GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

SESSION LAW 2026-21
SENATE BILL 558

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 process for reporting or investigating offensive or unwanted speech that is protected by the First Amendment, including satire or speech labeled as microaggression."

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

"Article 39.
"Diversity, Equity, and Inclusion.

"**§ 116-415. Intent.**

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

"**§ 116-416. Definitions.**

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

(1) Applicable governing board. – As follows:
  a. For a constituent institution of The University of North Carolina, the Board of Governors of The University of North Carolina.
  b. For a community college, the State Board of Community Colleges.

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

(3) 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.

(4) 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.

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

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

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

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

(1) Engage in or advocate for discriminatory practices.

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

(3) Endorse divisive concepts.

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

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

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

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

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

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

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

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

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

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

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

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

"(9) The constituent institution shall not establish, maintain, or otherwise implement a process for reporting or investigating offensive or unwanted speech that is protected by the First Amendment, including satire or speech labeled as microaggression."

SECTION 5. If any provision of this act or its application is held invalid, the invalidity does not affect other provisions or applications of this act that can be given effect

without the invalid provisions or application and, to this end, the provisions of this act are severable.

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

In the General Assembly read three times and ratified this the 26th day of June, 2025.

s/ Rachel Hunt
President of the Senate

s/ Destin Hall
Speaker of the House of Representatives

VETO Josh Stein
Governor

Became law notwithstanding the objections of the Governor at 3:25 p.m. this 24th day of June, 2026.

s/ Mr. James White
House Principal Clerk