

§ 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.
 - c. Contract with an entity for the professional development.
 - d. Provide an entity access for the purpose of delivering the professional development.
 - (5) 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.
 - (6) Employ or assign an employee whose duties for a public school unit include promoting discriminatory practices or divisive concepts.
- (b) This section shall not be construed to limit any of the following:
 - (1) Speech protected by the First Amendment of the United States 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, procedures, or professional development required by State or federal law.
 - (4) Instruction on divisive concepts in accordance with the standard course of study in contexts that make clear the public school unit does not sponsor, approve, or endorse any divisive concepts, including instruction related to the following:
 - a. The history of an ethnic group, as described in textbooks and instructional materials adopted in accordance with Part 3 of Article 8 of this Chapter.
 - b. The impartial discussion of controversial aspects of history.
 - c. The impartial discussion of the historical oppression of a particular group of people based on race, ethnicity, class, nationality, religion, or geographic region.
 - d. Historical documents that are permitted under G.S. 115C-47(29c).
 - (5) Single-sex schools, educational programs, or activities operated in compliance with State or federal law.
- (c) Each public school unit shall certify annually in writing by September 1 to the Department of Public Instruction that the public school unit fully complies with the requirements of this section, including any actions taken to achieve compliance. The Department 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. (2026-20, s. 2.)