

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

H

1

HOUSE BILL 250

Short Title: Charter School Enrollment. (Public)

Sponsors: Representatives Hardister, Brandon, Stam, and Lambeth (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Education.

March 7, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE FOR ENROLLMENT PRIORITY AND PROCEDURES FOR
3 CERTAIN STUDENTS APPLYING TO CHARTER SCHOOLS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 115C-238.29F(g) reads as rewritten:

6 "(g) Admission Requirements. –

- 7 (1) Any child who is qualified under the laws of this State for admission to a
8 public school is qualified for admission to a charter school.
- 9 (2) No local board of education shall require any student enrolled in the local
10 school administrative unit to attend a charter school.
- 11 (3) Admission to a charter school shall not be determined according to the
12 school attendance area in which a student resides, except that any local
13 school administrative unit in which a public school converts to a charter
14 school shall give admission preference to students who reside within the
15 former attendance area of that school.
- 16 (4) Admission to a charter school shall not be determined according to the local
17 school administrative unit in which a student resides.
- 18 (5) A charter school shall not discriminate against any student on the basis of
19 ethnicity, national origin, gender, or disability. Except as otherwise provided
20 by law or the mission of the school as set out in the charter, the school shall
21 not limit admission to students on the basis of intellectual ability, measures
22 of achievement or aptitude, athletic ability, disability, race, creed, gender,
23 national origin, religion, or ancestry. The charter school may give enrollment
24 priority to (i) siblings of currently enrolled students who were admitted to
25 the charter school in a previous year, (ii) siblings who are applying for
26 admission to the charter school at the same time, and ~~to~~ (iii) children of the
27 school's principal, teachers, and teacher assistants. ~~employees.~~ For the
28 purposes of this subdivision, "siblings" includes half siblings and
29 stepsiblings. In addition, and only for its first year of operation, the charter
30 school may give enrollment priority to children of the initial members of the
31 charter school's board of directors, so long as (i) these children are limited to
32 no more than ten percent (10%) of the school's total enrollment or to 20
33 students, whichever is less, and (ii) the charter school is not a former public
34 or private school. If a charter school does not provide enrollment priority to
35 siblings applying for admission at the same time as authorized by this



* H 2 5 0 - V - 1 *

1 ~~subdivision multiple birth siblings apply for admission to a charter school~~
2 and a lottery is needed under G.S. 115C-238.29F(g)(6), the charter school
3 shall enter one surname into the lottery to represent all of the ~~multiple birth~~
4 ~~siblings.siblings applying at that same time.~~ If that surname of the ~~multiple~~
5 ~~birth~~ siblings is selected, then all of the ~~multiple birth~~ siblings shall be
6 admitted. Within one year after the charter school begins operation, the
7 population of the school shall reasonably reflect the racial and ethnic
8 composition of the general population residing within the local school
9 administrative unit in which the school is located or the racial and ethnic
10 composition of the special population that the school seeks to serve residing
11 within the local school administrative unit in which the school is located.
12 The school shall be subject to any court-ordered desegregation plan in effect
13 for the local school administrative unit.

14 (5a) A charter school may give enrollment priority to a student who was enrolled
15 in the charter school within the two previous school years but left the school
16 to participate in extraordinary educational opportunities available to the
17 student or because of the vocational opportunities of the student's parent.

18 (6) During each period of enrollment, the charter school shall enroll an eligible
19 student who submits a timely application, unless the number of applications
20 exceeds the capacity of a program, class, grade level, or building. In this
21 case, students shall be accepted by lot. Once enrolled, students are not
22 required to reapply in subsequent enrollment periods.

23 (7) Notwithstanding any law to the contrary, a charter school may refuse
24 admission to any student who has been expelled or suspended from a public
25 school under G.S. 115C-390.5 through G.S. 115C-390.11 until the period of
26 suspension or expulsion has expired."

27 **SECTION 2.** This act is effective when it becomes law and applies beginning with
28 the 2013-2014 school year.