

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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HOUSE BILL 250  
Committee Substitute Favorable 3/19/13  
Third Edition Engrossed 3/20/13

Short Title: Charter School Enrollment.

(Public)

Sponsors:

Referred to:

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-year, and (ii) to children of the school's  
26 principal, teachers, and teacher assistants-assistants, or (iii) to children of all  
27 school employees. For the purposes of this subdivision, "siblings" includes  
28 half siblings, stepsiblings, and children residing in a family foster home. In  
29 addition, and only for its first three years ~~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-less.~~ If ~~multiple birth~~-siblings apply for admission to a  
35 charter school and a lottery is needed under G.S. 115C-238.29F(g)(6), the



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

17 (5a) A charter school may give enrollment priority to a student who was enrolled  
18 in the charter school within the two previous school years but left the school  
19 (i) to participate in extraordinary educational opportunities available to the  
20 student, such as a study abroad program or a competitive admission  
21 residential program or (ii) because of the vocational opportunities of the  
22 student's parent.

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

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

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