

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 250
Committee Substitute Favorable 3/19/13

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 and stepsiblings. In addition, and only for its first three years
29 year-of operation, the charter school may give enrollment priority to children
30 of the initial members of the charter school's board of directors, so long as (i)
31 these children are limited to no more than ten percent (10%) of the school's
32 total enrollment or to 20 students, whichever is less, and (ii) the charter
33 school is not a former public or private school. If multiple-birth-siblings
34 apply for admission to a charter school and a lottery is needed under
35 G.S. 115C-238.29F(g)(6), the charter school shall-may enter one surname
36 into the lottery to represent all of the multiple-birth-siblings-siblings applying



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

15 (5a) A charter school may give enrollment priority to a student who was enrolled
16 in the charter school within the two previous school years but left the school
17 (i) to participate in extraordinary educational opportunities available to the
18 student, such as a study abroad program or a competitive admission
19 residential program or (ii) because of the vocational opportunities of the
20 student's parent.

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

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

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