



# HOUSE BILL 981: Local Schools Open Enrollment Study.

2025-2026 General Assembly

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<b>Committee:</b>	House Rules, Calendar, and Operations of the House	<b>Date:</b>	May 7, 2025
<b>Introduced by:</b>	Reps. Schietzelt, Rhyne, Willis	<b>Prepared by:</b>	Drupti Chauhan
<b>Analysis of:</b>	Third Edition		Committee Counsel

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**OVERVIEW:** *House Bill 981 would direct the Department of Public Instruction to study how LEAs can allow students to attend any school within the LEA in which the student is domiciled, other than the assigned base school.*

## CURRENT LAW:

**Right to Attend School:** Under G.S. 115C-366, all students domiciled in an LEA have the right to attend a school to which they are assigned by the local board of that LEA. A local board may deny admission or place reasonable conditions on the admission of a student if the student has been suspended or expelled. Local boards must assign each qualified student to a public school and their authority to assign students is final except as otherwise provided by statute.

**School Attendance Zones and Freedom of Choice Plans:** Under G.S. 115C-367, school assignments and school attendance districts or zones cannot be based on "race, creed, color, or national origin". When an LEA has divided its area into attendance districts, students must be assigned to schools within these districts but the local board may do school assignments outside of those districts for any reason the local board deems sufficient in its sole discretion. The local board may also adopt a freedom of choice plan for school assignments.

**Reassignment Requests and Hearings:** Under G.S. 115C-369, a parent or guardian who is dissatisfied with the school assignment made for their child by the local board can apply in writing for reassignment to a different school. This request must be made within 10 days of the notification of assignment. If the local board denies the application for reassignment, notice must be given and the applicant may apply to the local board for a hearing. A final determination must be made on the question of reassignment and initial hearings may be conducted prior to the final determination. If initial hearings are conducted, the local board must designate hearing panels of not less than 2 members of the local board to hear the appeal. In addition, the local board may designate a hearing officer to hear the appeals for fact-finding and a recommended decision. The local board can designate both types of hearings and if both are designated, the applicant must select the entity the applicant wishes to hear the appeal. The hearing panel's recommendations or the hearing officer's recommended findings of fact and recommended decision must be submitted to the local board for final determination.

At the hearing, the local board must consider "the best interests of the child, the orderly and efficient administration of the public schools, the proper administration of the school to which reassignment is requested and the instruction, health, and safety of the pupils there enrolled, and shall assign said child in accordance with such factors".

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**Judicial Review Of School Assignment:** Under G.S. 115C-370, decisions of the local board on assignment under G.S. 115C-369 are final but are subject to judicial review. Individuals seeking judicial review must file a petition in the superior court of the county in which the local board made its decision.

**BILL ANALYSIS:** House Bill 981 would direct the Department of Public Instruction (Department) to study how local school administrative units can allow students to attend any school within the local school administrative unit in which the student is domiciled, other than the assigned base school. The study must include, at a minimum, the following:

- A review of existing voluntary open enrollment and freedom of choice plans.
- Considerations for implementing mandatory open enrollment plans, including:
  - The number of enrollment periods a mandatory open enrollment plan should have in a year.
  - Types of application processes for mandatory open enrollment plans.
  - How school capacity issues should be addressed and communicated to parents, including waitlist options.
  - Transportation options for students when they choose a school other than their assigned base school.
  - Reasons that would let a local school administrative unit deny a request under a mandatory open enrollment plan.
  - Any appeals processes that would be available for denials of requests of school assignment under a mandatory open enrollment plan.
- Any other information deemed relevant by the Department.

The Department must report its findings, including any recommended legislation, to the Joint Legislative Education Oversight Committee, by April 15, 2026.

**EFFECTIVE DATE:** The bill would become effective when it becomes law.