



SENATE BILL 227: Eliminating "DEI" in Public Education.

2025-2026 General Assembly

Analysis of: S.L. 2026-20

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S.L. 2026-20 (Senate Bill 227), as amended by Section 5.9(c1) of S.L. 2026-41 (Senate Bill 257), prohibits public school units (PSUs) and the State Board of Education (SBE) from taking certain actions related to divisive concepts and discriminatory practices.

Definitions – The following definitions apply to this act:

"Discriminatory practices" are any of the following based on an individual's protected classification under federal law:

- Treating an individual differently solely to advantage or disadvantage that individual as compared to other individuals or groups.
- Excluding an individual from employment, except as allowed under federal law.
- Excluding an individual from participation in an educational program or activity, except as allowed under federal law.

"Divisive concepts" are any of the following:

- One race or sex is inherently superior to another race or sex.
- An individual is inherently racist, sexist, or oppressive solely because of his or her race or sex.
- An individual should be discriminated against or receive adverse treatment solely or partly because of the individual's race or sex.
- Moral character is necessarily determined by an individual's race or sex.
- An individual solely by virtue of his or her race or sex bears responsibility for actions committed in the past by members of the same race or sex.
- An individual solely by virtue of his or her race or sex should feel discomfort, guilt, anguish or other psychological distress.
- A meritocracy is inherently racist or sexist.
- The United States was created by members of a particular race or sex for the purpose of oppressing members of another race or sex.
- Particular character traits, values, moral or ethical codes, privileges, or beliefs should be ascribed to a race or sex or to an individual because of the individual's race or sex.
- The rule of law does not exist but instead is a series of power relationships and struggles among racial or other groups.
- All Americans are not created equal and are not endowed by their Creator with certain unalienable rights, including life, liberty, and the pursuit of happiness.
- Governments should deny to any person within the government's jurisdiction the equal protection of the law.

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Prohibitions – PSUs are prohibited from doing any of the following:

- Engaging in or advocating for discriminatory practices.
- Compelling students, teachers, administrators, or other school employees to affirm or profess belief in divisive concepts.
- Providing instruction to students on divisive concepts.
- Engaging in activities related to professional development that include or advocate for divisive concepts or discriminatory practices.
- Maintaining an office or other unit (i) promoting discriminatory practices or divisive concepts or (ii) referred to as or named diversity, equity, and inclusion.
- Employing or assigning an employee whose duties for a public school unit include promoting discriminatory practices or divisive concepts.

The SBE cannot approve, provide, recommend, or require professional development that includes or advocates for divisive concepts or discriminatory practices. The SBE is prohibited from awarding continuing education credit for professional educator license renewal for any professional development that includes or advocates for divisive concepts or discriminatory practices.

Exceptions – The following are not limited by this act:

- Speech protected by the First Amendment of the United States Constitution.
- Materials accessed on an individual basis for research or independent study.
- Policies, procedures, or professional development required by State or federal law.
- Instruction on divisive concepts in accordance with the North Carolina Standard Course of Study when it is made clear that the PSU does not sponsor, approve, or endorse any divisive concepts.

Employee Policies – Local boards of education must adopt policies governing the conduct of employees that prohibit discrimination on an individual's protected classification under federal law, including antisemitism.

Student Code of Conduct – Governing bodies of PSUs must adopt Codes of Student Conduct that prohibit discrimination based on an individual's protected classification under federal law, including antisemitism.

Report – By September 1 of each year, each PSU must certify in writing to the Department of Public Instruction (DPI) that it fully complies with the requirements of this section and include in its certification any actions taken to achieve compliance. DPI must summarize the certifications in a report to the Joint Legislative Commission on Governmental Operations and the Joint Legislative Education Oversight Committee by January 15 of each year. For the certifications due by September 1, 2026, each PSU is required to include information on the initial implementation of these requirements, including reductions in force and spending, changes to job titles and position descriptions, and how savings achieved from these actions have been directed.

This bill was vetoed by the Governor on July 3, 2025, and that veto was overridden by the General Assembly on June 24, 2026. This act became effective on June 24, 2026.