



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

2025-2026 General Assembly

Committee:		Date:	July 29, 2025
Introduced by:	Sens. Berger, Lee, Overcash	Prepared by:	Drupti Chauhan
Analysis of:	Ratified		Staff Attorney

OVERVIEW: *Senate Bill 227 would prohibit discriminatory practices and divisive concepts in public school units.*

BILL ANALYSIS: Senate Bill 227 would prohibit public school units from doing 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 activities related to professional development that includes or advocates 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.

State Board of Education Prohibition: The bill would prohibit the State Board of Education (SBE) from approving, providing, recommending, or requiring professional development that includes or advocates for divisive concepts or discriminatory practices. The SBE could not:

- Approve, recommend, or require a professional educator to participate in that professional development.
- Develop, purchase, or provide the professional development.
- Contract with an entity for the professional development.
- Provide an entity access for the purpose of delivering the professional development.

Continuing Education Credit Prohibition: No continuing education credit for professional educator license renewal could be awarded for any professional development following that includes or advocates for divisive concepts or discriminatory practices.

Actions and Items not Limited: The following would not be construed to be limited under the bill:

- Speech protected by the First Amendment of the United States Constitution.
- Materials accessed on an individual basis that advocates divisive concepts or discriminatory practices for research or independent study.

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- 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 public school unit does not sponsor, approve, or endorse any divisive concepts including instruction related to:
 - The history of an ethnic group as described in textbooks and instructional materials adopted in accordance with State law.
 - The impartial discussion of controversial aspects of history.
 - The impartial discussion of the historical oppression of a particular group of people based on race, ethnicity, class, nationality, religion, or geographic region.
 - Historical documents such as the United States Constitution and the writings of the founding fathers.

Definitions

Discriminatory Practice: Discriminatory practice would be defined as 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 Concept: Divisive concepts would be defined as 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 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.

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- Americans are not created equal and not endowed by their Creator with certain unalienable rights, including life, liberty, and the pursuit of happiness.
- Governments should deny to any person any person within the government's jurisdiction the equal protection of the law.

Report Requirements: By September 1 of each year, each public school unit would be required to certify in writing to the Department of Public Instruction (DPI) that it fully complies with the requirements of this bill and include 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, 2025, each public school unit would be required to include information on the initial implementation of these requirements, including reductions in force and spending, changes to job titles and positions descriptions, and how savings achieved from these actions have been directed.

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