

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 531
Committee Substitute Favorable 4/25/23

Short Title: Chtr Schs & Out-of-State/Foreign Exch Stud.

(Public)

Sponsors:

Referred to:

March 30, 2023

A BILL TO BE ENTITLED

AN ACT TO ALLOW CHARTER SCHOOLS TO ADMIT OUT-OF-STATE STUDENTS
AND FOREIGN EXCHANGE STUDENTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-218.45 is amended by adding the following new subsections to read:

"(h1) Any charter school that is unable to fill its current enrollment with students qualified under the laws of this State for admission to a public school may enroll out-of-state students who are domiciliaries of other states. The charter school shall charge the out-of-state students a tuition amount of at least fifty percent (50%) of the total of the per pupil allocation of the local appropriation for the county in which the charter school is located and the per pupil State appropriation for that school year but no more than one hundred percent (100%) of the total of the per pupil allocation of the local appropriation for the county in which the charter school is located and the per pupil State appropriation for that school year. The number of out-of-state students who are domiciliaries of other states who are enrolled in a charter school may not exceed ten percent (10%) of the total number of students enrolled in the charter school.

(h2) For the purposes of this subsection, a foreign exchange student is a student who is domiciled in a foreign country and has come to the United States on a valid student or exchange visa pursuant to the Immigration and Nationality Act, 8 U.S.C. § 1101, et seq. A charter school may enroll foreign exchange students as follows:

(1) No more than two foreign exchange students per high school grades nine through 12 shall be enrolled in any given school year at the charter school.

(2) The charter school may charge the foreign exchange students a tuition amount of at least fifty percent (50%) of the total of the per pupil allocation of the local appropriation for the county in which the charter school is located and the per pupil State appropriation for that school year but no more than one hundred percent (100%) of the total of the per pupil allocation of the local appropriation for the county in which the charter school is located and the per pupil State appropriation for that school year.

(3) Foreign exchange students shall not count toward the enrollment capacity or cap for any program, class, building, or grade levels for grades nine through 12 and shall not be subject to any lottery process used by the charter school for enrollment."

SECTION 2. This act is effective when it becomes law and applies beginning with the admissions process for the 2024-2025 school year.

