



CHAPTER 116  
ARTICLE 39 - DIVERSITY, EQUITY, AND INCLUSION

N.C.G.S. § 116-416.

Definitions.

| SOURCE                                                                   | LAST AMENDMENT IN THIS TEXT    | RETRIEVED                    | SOURCE FINGERPRINT                                                     |
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For the purposes of this Article, the following definitions apply:

Applicable governing board. - As follows:

- a.For a constituent institution of The University of North Carolina, the Board of Governors of The University of North Carolina.
- b.For a community college, the State Board of Community Colleges.

Chancellor. - The chancellor, president, or chief administrative officer of a public institution of higher education.

Discriminatory practice. - Any of the following based on an individual's protected classification under federal law:

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

Divisive concept. - Any of the following concepts:

- a.One race or sex is inherently superior to another race or sex.
- b.An individual, solely by virtue of his or her race or sex, is inherently racist, sexist, or oppressive.
- c.An individual should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex.

- d.An individual's moral character is necessarily determined by his or her race or sex.
  - e.An individual, solely by virtue of his or her race or sex, bears responsibility for actions committed in the past by other members of the same race or sex.
  - f.Any individual, solely by virtue of his or her race or sex, should feel discomfort, guilt, anguish, or any other form of psychological distress.
  - g.A meritocracy is inherently racist or sexist.
  - h.The United States was created by members of a particular race or sex for the purpose of oppressing members of another race or sex.
  - i.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.
  - j.The rule of law does not exist but instead is a series of power relationships and struggles among racial or other groups.
  - k.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.
  - l.Governments should deny to any person within the government's jurisdiction the equal protection of the law.
- Instruction. - Includes content taught or presented to students by employees, contractors, or individuals otherwise engaged by a public institution of higher education.
- Public institution of higher education. - A constituent institution of The University of North Carolina or a community college as defined in G.S. 115D-2(2). (2026-21, s. 2.)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS II  
1 AUTHORITY

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

| REFERENCE      | APPEARS IN | OPERATIVE LANGUAGE IN THIS SECTION  |
|----------------|------------|-------------------------------------|
| G.S. 115D-2(2) | (null)(6)  | "a community college as defined in" |

## APPARATUS III

## Citation

## FULL SECTION

N.C. Gen. Stat. § 116-416 (2026).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

## COLOPHON

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