

1 **SECTION 5.(e)** This section is effective when it becomes law and applies to
2 contracts entered on or after that date.

3
4 **EQUAL TREATMENT FOR FRATERNITIES AND SORORITIES BY LOCAL**
5 **GOVERNMENT**

6 **SECTION 6.(a)** G.S. 153A-340 is amended by adding a new subsection to read:

7 "(k) A zoning or unified development ordinance may not differentiate in terms of the
8 regulations applicable to fraternities or sororities between those fraternities or sororities that are
9 approved or recognized by a college or university and those that are not."

10 **SECTION 6.(b)** G.S. 160A-381 is amended by adding a new subsection to read:

11 "(g) A zoning or unified development ordinance may not differentiate in terms of the
12 regulations applicable to fraternities or sororities between those fraternities or sororities that are
13 approved or recognized by a college or university and those that are not."

14 **SECTION 6.(c)** Part 3 of Article 1 of Chapter 116 of the General Statutes is
15 amended by adding a new section to read:

16 **"§ 116-40.11. Disciplinary proceedings; right to counsel for students and organizations.**

17 (a) Any student enrolled at a constituent institution who is accused of a violation of the
18 disciplinary or conduct rules of the constituent institution shall have the right to be represented,
19 at the student's expense, by a licensed attorney or nonattorney advocate who may fully
20 participate during any disciplinary procedure or other procedure adopted and used by the
21 constituent institution regarding the alleged violation. However, a student shall not have the
22 right to be represented by a licensed attorney or nonattorney advocate in either of the following
23 circumstances:

24 (1) If the constituent institution has implemented a "Student Honor Court"
25 which is fully staffed by students to address such violations.

26 (2) For any allegation of "academic dishonesty" as defined by the constituent
27 institution.

28 (b) Any student organization officially recognized by a constituent institution that is
29 accused of a violation of the disciplinary or conduct rules of the constituent institution shall
30 have the right to be represented, at the organization's expense, by a licensed attorney or
31 nonattorney advocate who may fully participate during any disciplinary procedure or other
32 procedure adopted and used by the constituent institution regarding the alleged violation.
33 However, a student organization shall not have the right to be represented by a licensed
34 attorney or nonattorney advocate if the constituent institution has implemented a "Student
35 Honor Court" which is fully staffed by students to address such violations.

36 (c) Nothing in this section shall be construed to create a right to be represented at a
37 disciplinary proceeding at public expense."

38 **SECTION 6.(d)** Each constituent institution shall track the number and type of
39 disciplinary proceedings impacted by this section, as well as the number of cases in which a
40 student or student organization is represented by an attorney or nonattorney advocate. The
41 constituent institutions shall report their findings to the Board of Governors of The University
42 of North Carolina, and the Board of Governors shall submit a combined report to the Joint
43 Legislative Education Oversight Committee and the House and Senate Education
44 Appropriations Subcommittees by May 1, 2014.

45 **SECTION 6.(e)** Subsection (c) of this section is effective when it becomes law and
46 applies to all allegations of violations beginning on or after that date.

47
48 **AMEND PRIVATE CLUB DEFINITION**

49 **SECTION 7.** G.S. 130A-247 reads as rewritten:

50 **"§ 130A-247. Definitions.**

51 The following definitions shall apply throughout this Part: