

# How NC Tax Dollars Are Used to Discriminate Against Students and Families

October 2023



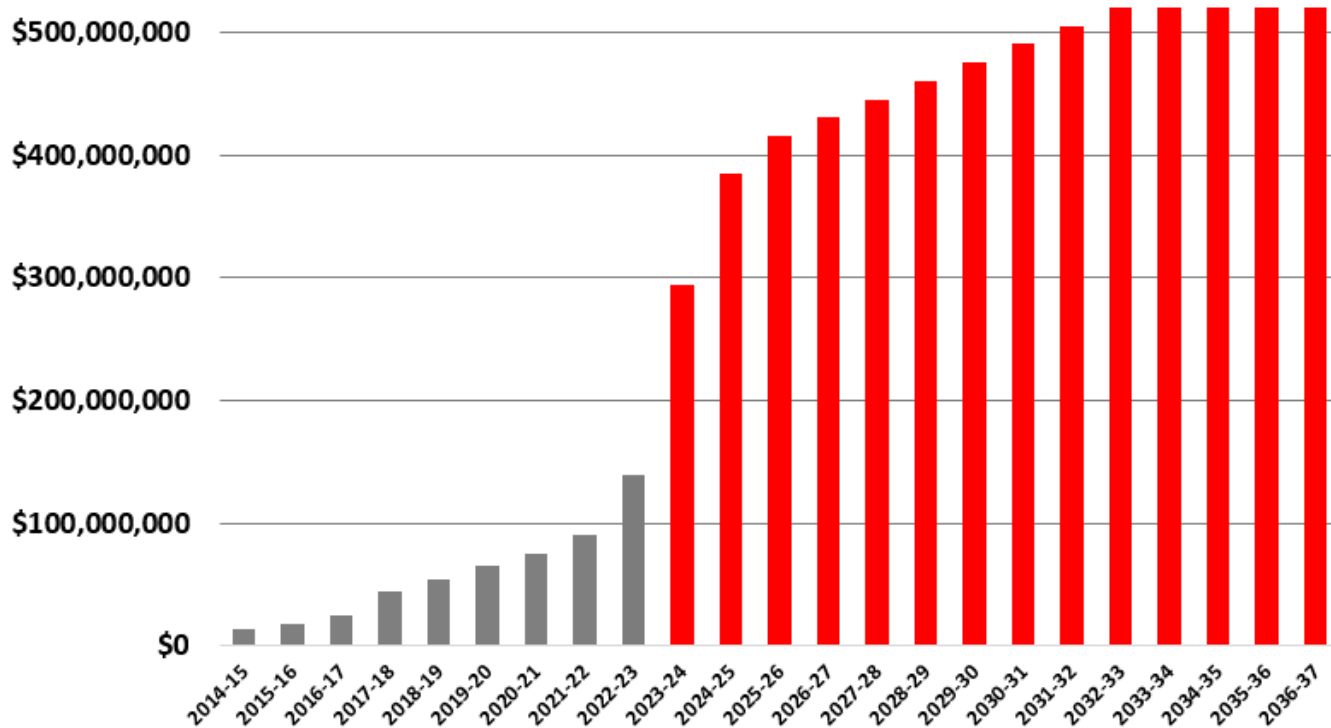
# Table of Contents

Introduction	1
Types of Discrimination	3
Summary	9
Conclusion	10
Selected Resources	10
Appendix: 2022-23 Opportunity Scholarship Voucher Schools	11

# Introduction

In North Carolina, millions of dollars each year are spent on two school voucher programs (see our [fact sheet](#) for details) that use taxpayer funds to pay private school tuition. In September 2023, the North Carolina General Assembly passed the [2023 Appropriations Act](#), a two-year budget that greatly expands the [Opportunity Scholarship](#) (OS) voucher program. It removes family income eligibility requirements and prior public school attendance requirements, thereby allowing any student in the state to receive taxpayer dollars for private school tuition with **no regard for financial need**.

**NC Opportunity Scholarship  
Allocations with 2023 Appropriations Act (red)**



*Data Source: NCGA Budget and Bill Documents*

With these budget appropriation increases, within a few years, North Carolina's taxpayers will be spending more than **\$520 million dollars per year** on private school tuition. In addition, up to 2.5% (i.e. \$13 million) is earmarked for administrative costs and up to \$1,000,000 per year to market the program. Every single dollar spent on the private school voucher program could instead be spent on improving and strengthening public schools that educate ALL students who enter their doorways, as they are required to do by law.

North Carolina law requires private schools to follow [the provisions](#) of Title VI, 42 USC § 2000d (Civil Rights Act of 1964) that **prohibits discrimination on the basis of race, color, and national origin**. However, other forms of discrimination are not expressly prohibited in North Carolina laws, and federal laws (e.g. Americans with Disabilities Act of 1990, Title IX) often do not apply to private schools unless they receive federal funds. As a result, many private schools in North Carolina have policies that explicitly discriminate against various groups, while others have policies that open the door to discrimination through less obvious language. In addition, many schools use various private application/selection processes for admitting students that are effective in excluding students for a variety of reasons.

In this report, we highlight a few of the [many exclusionary policies](#) used by NC private schools to determine which students they admit into their schools.

The policies range from exclusions based on religious beliefs of students and family members, to academic performance, disability status, and whether an applicant or family member is part of the LGBTQ+ community. Many schools also require students and families to sign a “lifestyle policy” that extends to activities and behaviors of family members and associates. Not meeting the requirements may result in a rejected application or the student being expelled from the school. And unlike public schools, many private schools have no formal process for questioning or appealing these decisions.

A statement by Northwood Temple Academy (\$1,162,821) in Fayetteville is one example of the type of [admission policies](#) found in private school documents that asserts broad discriminatory authority : “NTA reserves the right, within its **sole discretion, to refuse admission of an applicant or to discontinue the enrollment of a student** on the basis of, but not necessarily limited to, the inability to support the moral principles of the academy and/or the inability to maintain a lifestyle consistent with the NTA foundational documents and any related policies and procedures” (p. 10). This report describes more specific examples of discrimination from various NC voucher-funded schools awarded taxpayer dollars in 2022-23 (based on NCSEAA figures).



88.9% of the 2022–23 private school voucher dollars went to religious schools.

Nearly all of the religious schools are Christian; very few are Islamic or Jewish.

# Types of Discrimination

This report focuses on the types of discrimination most commonly identified in admissions policies and procedures or in documents such as parent/student handbooks. These include discrimination based on religion, disability, LGBTQ+ status, academics, and lifestyle. The appendix provides a list of all schools that received \$100,000 or more in Opportunity Scholarship voucher funds in the 2022-23 school year. For each, the school name, city, voucher dollars received, discrimination type (if applicable), example, and a link to the source of the example are provided. For a type of discrimination to be listed for a school, there had to be a clear statement or policy:

- **Academics:** There is a clear statement of academic requirement. To be admitted the student must show evidence such as performing at grade level, achieving minimum grades, having a specific GPA, IQ, or other test scores.
- **Disability:** There is a clear statement indicating that the school accepts students based on a disability status related to their specific learning, physical, or behavior needs. Some schools specifically state that they provide no services to meet IEP or 504 requirements.
- **Lifestyle:** School policies/admissions include a clear statement that outside-of-school behaviors must align with the school's beliefs. Lifestyle criteria include those indicating that parental beliefs or conduct influence admission or enrollment decisions. Lifestyle policies are noted when they are supplemental to the other types of discrimination listed in the appendix.
- **LGBTQ+:** School policies/admissions include a clear statement that LGBTQ+ students and/or students not adhering to the beliefs of the school/faith statement (if it includes anti-LGBTQ+ language) are not admitted.
- **Religion:** There is a clear expectation that the student or parent/guardian is a practicing member of a religion and/or must sign a statement agreeing to a statement of faith or the beliefs of a religion. Religious discrimination is also noted where application policies give preference to students of specific religions or faith organizations and where a pastor recommendation is a required part of the admissions process.
- **“Right Fit”:** This label is applied when a school requires an interview, tour or testing prior to acceptance. While these requirements do not necessarily result in discriminatory practices, school staff and acceptance committees may use them to selectively accept or reject applicants on the basis of whether the student is a "right fit" for the school. In this context, “right fit” can be a more subtle form of discrimination based on one of the other types listed.

In addition, when a school requires a non-refundable application fee of \$200 or more, it is noted in the example column. In order to be included in the appendix, the application fee must be independent of all fees required after acceptance (e.g. not applied to enrollment fees or tuition). Discrimination based on income is not included in this report, but a \$200 non-refundable application fee may serve to discourage low-income families from applying.

A few examples of each discriminatory category are shown below.

## Discrimination Based on Religion

In the 2022-23 school year, religious schools made up about 72% of the total number of schools that received voucher funding, but they received more than 88% of the voucher dollars. Almost all of the religious schools are Christian schools, though there are a few Islamic and Jewish schools. Many explicitly limit enrollment to students from families actively engaged in their **specific faith community**.

“The student and at least one parent with whom the student resides must be in full agreement with the FCS Statement of Faith and confirm that they have received Jesus Christ as their Savior. In addition, the parent and student must regularly fellowship in a local faith based, Bible believing church. Accordingly, FCS will not admit families that belong to or express faith in non-Christian religions such as, but not limited to: Mormons (LDS Church), Jehovah’s Witness, Muslims (Islam), non-Messianic Jews, Hindus, Buddhists, etc. Furthermore students and families are expected to manifest, by example, Christian virtue in their lives both in and out of school by living lives according to Biblical truth.”

– Fayetteville Christian School, Fayetteville (\$1,336,793). [Student Handbook](#), p. 9.

“Vandalia Christian School is primarily in the ministry of edifying saved individuals for the cause of Christ in support of the Christian home. As such, the following are general guidelines for admission: At least one of the parents must be a born-again Christian. High school students must be born-again Christians. Students in elementary school do not have to be born again to be admitted, however they will receive the training and encouragement to accept Christ as Savior.”

– Vandalia Christian School, Greensboro (\$362,941). [Admission Requirements](#).



“At least one of the parents or guardians must be saved and must live a life that shows a commitment to Jesus Christ and must express commitment to support the school. A student twelve or older must desire to attend SLA and abide by the spiritual, academic, and behavioral standards of the school. A student twelve or older must profess to be born again and live a life that demonstrates a commitment to the Lord.”

– *Shining Light Academy, Greensboro (\$517, 676)*. [Admissions](#).

## Discrimination Based on Disability

Because students with disabilities often require more resources, private schools are less likely to accept them. Public schools are obligated under federal law to accept and educate all students.

“BBA does not offer SLD (Specific Learning Disability, EH (Emotionally Handicapped), ADHD (attention deficit hyperactivity disorder), or ADD (attentional deficit disorder) special needs programs and therefore, acceptance would be determined on a case-by-case basis. Due to resources, BBA may not be able to accept students with certain 504 medical conditions and acceptance will be determined on a case-by-case basis.”

– *Berean Baptist Academy, Fayetteville (\$1,799,599)*. [General Policy Handbook](#), p. 14.

“Cape Fear Christian Academy is a private educational institution and therefore **has no federal mandate** to provide special education and related services to disabled students. The Academy requires that students continue to work on grade level in order to remain eligible for continuing enrollment at the Academy. Public schools are subject to the mandates of the "Individuals with Disabilities Education Act" (IDEA) and can provide such programs and services. If it appears that a pupil may have a disability, the Academy's administration will be happy to assist parents/guardians in obtaining evaluations and placement in one of our local public school systems. The Academy does comply with the Americans with Disability Act. Reasonable accommodations/modifications will be made for properly diagnosed, disabled pupils supplying appropriate documentation. For specifics, parents/guardians should contact the Academy's Head of School.”

– *Cape Fear Christian Academy, Erwin (\$587,382)*. [Student Handbook](#), p. 8.

“At this time, Our Lady of Perpetual Help Catholic School does not offer any special education alternative programs or individualized programs.”

– *Our Lady Perpetual Help Catholic School, Rocky Mount (\$319,259)*. [Parent/Student Handbook](#), p. 6.

“Higher Fees for Special Ed. Services: Remedial Intervention Program (RIP): Assessment Results: National Percentile Rank = 5 to 8.; \$500 annually, per subject, will be added to the Regular General Education Program (GEP) Tuition. Special Education Program (SEP): Assessment Results: National Percentile Ranks = 0 to 4.; Recipients of Disability Grants do not pay out-of-pocket for SEP.; If your child does not have the Disability Grant, then the out-of-pocket \$1,500 annually will be added to the Regular GEP tuition.”

– *Intellicor International Academy (\$1,293,228)*. [Tuition and Fees](#), #3-4.

## Discrimination Based on LGBTQ+ Status

A majority of religious schools that accepted voucher students in 2022 - 23 have faith statements explicitly prohibiting same-sex relationships, and many refuse to accept students who are members of the LGBTQ+ community. Others also extend the prohibition to parents and other family members and friends.

“Students are expected to live according to the school’s standards of conduct when school is in and out of session. HCS students must consistently observe the following standards: Faithful church attendance to a Bible believing church, Refrain from all illegal activity, Refrain from all forms of alcohol, tobacco, CBD products, and drug abuse, Refrain from listening to music and attending dances with violent or vulgar lyrics, Refrain from fornication, homosexuality, transgender activity, and immoral practices.”

– *Hilltop Christian School, Fuquay-Varina (\$300,951)*. [Parent/Student Handbook](#), p. 5.

“On those occasions in which the atmosphere or conduct within a particular home is counter to or in opposition to the biblical lifestyle the school teaches, the school reserves the right, within its sole discretion, to refuse admission of an applicant or to discontinue enrollment of a student. This includes, but is not necessarily limited to, living in, condoning, or supporting sexual immorality; homosexual acts or sexual orientation; promoting such practices; or otherwise the inability to support the moral principles of the school.”

– *Millersville Christian Academy, Taylorsville (\$615,976)* [Admissions Process](#).

“CCA does not enroll students who are known to be involved in sexual activity including pre-marital sex, homosexuality, and pornography.”

– *Carolina Christian Academy, Thomasville (\$358,247)*. [Student Handbook](#), p. 10.



## Discrimination Based on Academics

Academics are a point of pride for many private schools. To ensure high achievement, some refuse to accept students who fail to meet a specific academic standard.

“Acceptance Policy: Students must score on grade level and complete the application process to be eligible for enrollment. Generally, stanine scores must be in the 4 or higher range in reading and math. Students with IQs of 90 or less are not accepted because of the difficulty they will have being successful in our academic program. NRCA does not enroll students whose learning, behavioral, or physical needs cannot be met by our existing programs, services, or staff. IEPs are not available at NRCA.

– North Raleigh Christian Academy, Raleigh (\$393,317) [Student Handbook](#), pg. 23.

“Previous academic grades should be mostly A’s and B’s with an average to above average score on end of grade achievement tests for grades 4th-12th. Students applying for TK through 3rd grades will be asked to complete an age/grade appropriate academic assessment.”

– Calvary Day School, Winston-Salem (\$472,985). [Frequently Asked Questions](#).

“Aptitude and/or academic achievement in the average to above average range. Age-appropriate development (social and emotional).”

– Northwood Temple Academy, Fayetteville (\$1,162,821). [Student Handbook](#), p. 10.

“The Executive Director and admissions committee may refuse to admit a student with disciplinary or psychological problems, or any student who they determine has spiritual, behavioral, or academic needs that cannot be met by the school. All new students will be on probation for a period of one year. However, the Executive Director and admissions committee reserve the right to dismiss a student from their enrollment at any time for any reason.”

– North Hills Christian School, Salisbury (\$1,080,367). [Admissions Policy](#).

## Discrimination Based on Lifestyle

Private schools sometimes have policies that guide student and family behavior. Even after a student is admitted, they may be expelled if the school discovers behavior by a student (or even family/friend) that does not align with the beliefs/conduct promoted by the school.

“Every student, employee, and volunteer at VCA is expected not to engage in sexual conduct which is identified in Scripture as inappropriate, including (but not limited to) such behaviors as the following: heterosexual activity outside of marriage (e.g., premarital sex, cohabitation, extramarital sex), homosexual or lesbian sexual activity, sexual harassment, use or viewing of pornographic material, media, or websites, or sexual abuse or improprieties toward minors as defined by Scripture, local, state, or federal law.”

– Village Christian Academy, Fayetteville (\$593,053). [School Handbook](#), p. 4.

“The school reserves the right, within its **sole discretion**, to refuse admission of an applicant or to discontinue enrollment of a student if the atmosphere or conduct within a particular home or the activities of the student are counter to or in opposition to the biblical lifestyle the school teaches. This includes, but is not limited to participating in, supporting, or condoning sexual immorality, homosexual activity, or bisexual activity; promoting such activities; or being unable to support the moral principles of the school.”

– Liberty Christian Academy, Richlands (\$1,525,480). [Student Handbook](#), p. 8.

“ACS admits students from families that attend a Bible-preaching church that also subscribes to our statement of faith. Any application for admission to ACS that does not adhere to these standards will be reviewed by the Board of Directors on a case-by-case basis...We believe that God has established marriage as a lifelong, exclusive relationship between one biological man and one biological woman only. We believe that God intends sexual intimacy to occur only between a biological man and a biological woman who are married to each other. We believe that all intimate sexual activity outside the marriage relationship, whether heterosexual or homosexual, or otherwise, goes against God’s intended purpose...We believe that any form of sexual immorality, including adultery, fornication, homosexual behavior, bisexual conduct, incest, and the use of pornography is sinful and offensive to God...it is imperative that all persons employed by Alamance Christian School in any capacity, those who serve as volunteers, students, and families agree to abide by the school’s statements and policies on Marriage, Gender, and Sexuality.”

– Alamance Christian School, Graham (\$652,893). [Student Handbook](#), p. 10-11.

# Summary

These examples represent just a few of the private schools with discriminatory policies that have received millions of tax dollars over the past few years. There are many more (see [2022-23 Opportunity Scholarship Voucher Schools: Discriminatory Admissions Policies](#)). Some have clearly documented discriminatory policies. Others use vague language and others bury their discriminatory practices behind the private application, interview, and selection process. For example, Grace Christian Academy (\$2,261,497) in Sanford requires all prospective families to [tour the school](#), stating that, “We love getting to know our families personally, and a tour is a great way to ensure your family and our school are a good fit for one another.”

While private schools can turn away students due to their disabilities, their faith traditions, their academic or disciplinary records, or lifestyle, public schools cannot. Public schools are open to all students and therefore are funded using our tax dollars. Public schools serve the common good in every community as they offer the constitutional right of public education to every child in North Carolina.

Diverting public school funds to private schools damages our public school system. All across our state, especially in numerous rural communities, public schools are already struggling to provide needed programs and services due to inadequate and inequitable state funding. Shifting more funds from public to private schools will have a devastating impact on the local economies of these communities.

Further, because the voucher program has been underutilized since it was launched, in the 2021-23 budget the NCGA provided \$500,000/year to hire an organization to bolster enrollment—increased to \$1,000,000/year in the 2023-25 budget. And unused funds are carried forward each year rather than reverting back to a general fund that could be used to support public schools.

In addition, no state-funded education program should exist or be expanded *without proper measures in place to review academic outcomes for students or ensure accountability for the taxpayers who fund it*. Recent investigations have revealed [financial fraud](#) in the voucher program. In sharp [contrast to public school accountability requirements](#), there are no accountability measures in place to ensure that the private schools receiving vouchers are providing a sound, basic, education and are not discriminating against any student groups.

# Conclusion

State officials say there is little they can do about private schools that discriminate. However, they do have the power to ensure that students have unambiguous and explicit anti-discrimination protections codified in voucher legislation and all state laws that govern private schools. Further, they can withhold funding from private schools that violate federal anti-discrimination laws. The best solution for North Carolina is to simply end all state funding for private school vouchers and focus on fulfilling the constitutional requirement to support and improve our public school system.

## Selected Resources

Public Schools First NC Resources:

- [The Facts on School Vouchers](#)
- [Comparing Requirements for Public vs Private Schools in NC](#)
- [North Carolina School Privatization Timeline](#)
- [Important Research and Resources](#)

[2022-23 Opportunity Scholarship Program Recipient Disbursements by Nonpublic School](#), NCSEEA

[2023 Appropriations Act](#), North Carolina General Assembly

[How School Voucher Programs Hurt Students](#), April 2023, Cowen, J., Michigan State University

[New analysis shows many private schools in N.C. have more vouchers than students](#),  
June 2023, Nordstrom, K., N.C. Justice Center

[Opportunity Scholarships](#), North Carolina State Education Assistance Authority (NCSEEA)

[School Vouchers in NC 2014-2020](#), May 2020, Wettach, et. al., Duke Children's Law Clinic

[The Fiscal Consequences of Private School Vouchers](#),  
March 2023, Abrams, S. Koutsavlis, S., Public Funds Public Schools

## Appendix A

### 2022–23 Opportunity Scholarship Voucher Schools: Discriminatory Admissions and Operating Policies



**[Go to Full Report with Appendix](https://publicschoolsfirstnc.org/know-the-issues/school-vouchers/)**

<https://publicschoolsfirstnc.org/know-the-issues/school-vouchers/>