

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL DRS35093-MT-23

Short Title: Excused Absences for Military Children. (Public)

Sponsors: Senators D. Davis, Brown, and Ballard (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT RULES
3 PROVIDING FOR EXCUSED ABSENCES FROM SCHOOL FOR CHILDREN OF
4 MEMBERS OF THE ARMED FORCES OF THE UNITED STATES.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 115C-379 reads as rewritten:

7 "§ 115C-379. Method of enforcement.

8 (a) It shall be the duty of the State Board of Education to formulate the rules that may be
9 necessary for the proper enforcement of the provisions of this Part. The Board shall prescribe (i)
10 what shall constitute unlawful absence, (ii) what causes may constitute legitimate excuses for
11 temporary nonattendance due to a student's physical or mental inability to attend or a student's
12 participation in a valid educational opportunity such as service as a legislative page or a
13 Governor's page, and (iii) under what circumstances teachers, principals, or superintendents may
14 excuse pupils for nonattendance due to immediate demands of the farm or the home in certain
15 seasons of the year in the several sections of the State.

16 (b) ~~The~~ In addition to any excused absences authorized pursuant to subsection (a) of this
17 section, the rules shall require school principals to authorize the following excused absences:

18 (1) ~~a~~ A minimum of two excused absences each academic year for religious
19 observances required by the faith of a student or the student's ~~parents~~ parent,
20 guardian, or legal custodian.

21 (2) Up to two excused absences each academic year if all of the following
22 conditions are met:

23 a. The student's parent, guardian, or custodian is (i) a member of the
24 Armed Forces of the United States and (ii) on military leave from a
25 combat zone.

26 b. The student is not identified by the local school administrative unit as
27 at risk of academic failure because of truancy.

28 The rules may require that the student's ~~parents give~~ parent, guardian, or custodian gives the
29 principal written notice of the request for an excused absence a reasonable time prior to the
30 religious ~~observance~~ observance or period of military leave. The student shall be given the
31 opportunity to make up any tests or other work missed due to an excused absence for a religious
32 ~~observance~~ observance or military leave.

33 (c) It shall be the duty of all school officials to carry out such instructions from the State
34 Board of Education, and any school official failing to carry out such instructions shall be guilty
35 of a Class 3 misdemeanor: Provided, that the compulsory attendance law herein prescribed shall



1 not be in force in any local school administrative unit that has a higher compulsory attendance
2 feature than that provided herein."
3 **SECTION 2.** This act is effective when it becomes law and applies beginning with
4 the 2019-2020 school year.