



Public Schools of North Carolina
State Board of Education
Department of Public Instruction

Report to the North Carolina General Assembly

School Absence for Religious Holidays
SL 2010-112, HB 357

Date Due: January 15, 2011
Report # 33
DPI Chronological Schedule, 2010-2011

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House Bill 357 includes two sections that required response from the State Board of Education. Section 1 of the bill revised **GS 115C-379** to include additional language regarding religious holidays. Section 4a revised **GS 115c-12(33)** regarding Memorial Day instructional materials. Following is a brief summary of actions taken by the State Board of Education during the fall of 2010 that ensures implementation of House Bill 357 as it relates to the K-12 Public School System.

Religious Observances

GS 115C-379 was rewritten as follows:

“The rules shall require school principals to authorize a minimum of two excused absences each academic year for religious observances required by the faith of a student or the student's parents. The rules may require that the student's parents give the principal written notice of the request for an excused absence a reasonable time prior to the religious observance. The student shall be given the opportunity to make up any tests or other work missed due to an excused absence for a religious observance.”

At the October 2010 State Board of Education (SBE) meeting, the SBE after discussion voted not to require that the “student's parents give the principal written notice of the request for an excused absence a reasonable time prior to the religious observance”.

The NC Department of Public Instruction notified superintendents and principals of the requirement for religious observances using multiple forms of communication. Information regarding House Bill 357 was shared via the Superintendents and Principals Newsletter, discussed during the Superintendents monthly webinars, shared at the Superintendents Quarterly Meetings as an update, and summarized in follow-up correspondence by Dr. Rebecca Garland (memos attached).

Schools have been informed and are complying with the ruling to allow students a reasonable opportunity to make up any work or tests missed due to an absence. Local Educational Units are complying, but are allowed flexibility in the method of enforcement.

Memorial Day Instructional Materials

Section 4a of House Bill 357 also gives the State Board of Education the role of enabling student's opportunities to develop a better understanding of the meaning and purpose of Memorial Day.

SECTION 4.(a) G.S. 115C-12(33) reads as rewritten:

“(33) Duty to Develop Recommended Programs for Use in Schools on Memorial Day. The State Board of Education shall develop recommended instructional programs that enable students to gain a better understanding of the meaning and importance of Memorial Day. All schools, especially schools that hold school on Memorial Day shall instruct students on the significance of Memorial Day.”

The Curriculum and Instruction Staff of the NC Department of Public Instruction have developed resources or added support documents for teachers to use that will assist with this mandate. These tools are located on the Curriculum and Instruction page of the NCDPI site

(<http://www.ncpublicschools.org/docs/curriculum/socialstudies/memorial-day.pdf>)

This informational document contains basic facts as well as a listing of websites that will support teachers in lesson plan development as it relates to Memorial Day. Social Studies staff in the Curriculum and Instruction section also shared information and resource ideas during webinars and informational sessions held at regional meetings and at conferences across the state during the academic year. The recently adopted Essential Standards for Social Studies will be accompanied by instructional toolkits that will provide additional resources to support teachers. These toolkits are currently under development.

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

**HOUSE BILL 357
RATIFIED BILL**

AN ACT TO DIRECT THE STATE BOARD OF EDUCATION, THE STATE BOARD OF COMMUNITY COLLEGES, AND THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO ADOPT RULES OR POLICIES PERTAINING TO RELIGIOUS HOLIDAYS AND THE ACADEMIC WORK MISSED BECAUSE OF THE OBSERVANCE OF THOSE HOLIDAYS AND TO DIRECT PUBLIC SCHOOLS TO INSTRUCT STUDENTS ON THE SIGNIFICANCE OF MEMORIAL DAY.

The General Assembly of North Carolina enacts:

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

"§ 115C-379. Method of enforcement.

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

The rules shall require school principals to authorize a minimum of two excused absences each academic year for religious observances required by the faith of a student or the student's parents. The rules may require that the student's parents give the principal written notice of the request for an excused absence a reasonable time prior to the religious observance. The student shall be given the opportunity to make up any tests or other work missed due to an excused absence for a religious observance.

It shall be the duty of all school officials to carry out such instructions from the State Board of Education, and any school official failing to carry out such instructions shall be guilty of a Class 3 misdemeanor: Provided, that the compulsory attendance law herein prescribed shall not be in force in any local school administrative unit that has a higher compulsory attendance feature than that provided herein."

SECTION 2. G.S. 115D-5 is amended by adding a new subsection to read:

"(u) The State Board of Community Colleges shall direct each community college to adopt a policy that authorizes a minimum of two excused absences each academic year for religious observances required by the faith of a student. The policy may require that the student provide written notice of the request for an excused absence a reasonable time prior to the religious observance. The policy shall also provide that the student shall be given the opportunity to make up any tests or other work missed due to an excused absence for a religious observance."

SECTION 3. G.S. 116-11 is amended by adding a new subdivision to read:

"(3a) The Board of Governors shall direct each constituent institution to adopt a policy that authorizes a minimum of two excused absences each academic year for religious observances required by the faith of a student. The policy may require that the student provide written notice of the request for an excused absence a reasonable time prior to the religious observance. The policy shall also provide that the student shall be given the opportunity to make up any tests or other work missed due to an excused absence for a religious observance."

SECTION 4.(a) G.S. 115C-12(33) reads as rewritten:



"(33) Duty to Develop Recommended Programs for Use in Schools on Memorial Day. – The State Board of Education shall develop recommended instructional programs that enable students to gain a better understanding of the meaning and importance of Memorial Day. All schools, especially schools that hold school on Memorial Day, shall ~~recognize~~ instruct students on the significance of Memorial Day."

SECTION 4.(b) The State Board of Education shall report to the Joint Legislative Education Oversight Committee by January 15, 2011, on the instructional programs developed in accordance with G.S. 115C-12(33), as rewritten by subsection (a) of this section.

SECTION 5. This act is effective when it becomes law and applies beginning with the 2010-2011 academic year.

In the General Assembly read three times and ratified this the 9th day of July, 2010.

Walter H. Dalton
President of the Senate

Joe Hackney
Speaker of the House of Representatives

Beverly E. Perdue
Governor

Approved _____m. this _____ day of _____, 2010



PUBLIC SCHOOLS OF NORTH CAROLINA

DEPARTMENT OF PUBLIC INSTRUCTION | June St. Clair Atkinson, Ed.D., *State Superintendent*

WWW.NCPUBLICSCHOOLS.ORG

November 15, 2010

TO LEA Superintendents

FROM Rebecca Garland 

AMENDED LEGISLATION

The 2010 Session of the General Assembly amended two pieces of legislation (attached) that require your immediate attention. We are continuing to work on our summary report of legislation that should be available later this fall.

Session Law 2010-112/House Bill 357

AN ACT TO DIRECT THE STATE BOARD OF EDUCATION, THE STATE BOARD OF COMMUNITY COLLEGES, AND THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO ADOPT RULES OR POLICIES PERTAINING TO RELIGIOUS HOLIDAYS AND THE ACADEMIC WORK MISSED BECAUSE OF THE OBSERVANCE OF THOSE HOLIDAYS AND TO DIRECT PUBLIC SCHOOLS TO INSTRUCT STUDENTS ON THE SIGNIFICANCE OF MEMORIAL DAY.

An amendment to **Session Law 2010/House Bill 357** requires school principals to authorize a minimum of two excused absences each academic year for religious observances required by the faith of a student or the student's parents. The student shall be given the opportunity to make up any tests or other work missed due to an excused absence for a religious observance. The State Board of Education used its discretion not to require students to give prior notice. Please make sure that your principals are aware of this new statutory requirement. This addition to the definition of an excused absence will be reflected in the *Student Attendance and Student Accounting Manual*.

Please also note in **Session Law 2010-112** that all schools, especially schools that are in session on Memorial Day, shall instruct students on the significance of Memorial Day. The Social Studies staff members have uploaded information to the Social Studies webpage that may be used in a Memorial Day lesson plan.

ACADEMIC SERVICES AND INSTRUCTIONAL SUPPORT

Rebecca Garland, Ed.D., *Chief Academic Officer* | rgarland@dpi.state.nc.us

6368 Mail Service Center, Raleigh, North Carolina 27699-6368 | (919) 807-3200 | Fax (919) 807-4065

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

Session Law 2010-162/Senate Bill 1248

AN ACT TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO IDENTIFY STUDENTS AT RISK OF ACADEMIC FAILURE AND NOT SUCCESSFULLY PROGRESSING TOWARD GRADUATION NO LATER THAN THE FOURTH GRADE, TO PROVIDE PERSONAL EDUCATION PLANS FOR THOSE STUDENTS, TO REQUIRE LOCAL SCHOOL ADMINISTRATIVE UNITS TO CERTIFY COMPLIANCE ANNUALLY TO THE STATE BOARD OF EDUCATION, AND TO REQUIRE THE STATE BOARD OF EDUCATION TO PERIODICALLY REVIEW DATA ON THE PROGRESS OF IDENTIFIED STUDENTS AND REPORT TO THE JOINT LEGISLATIVE EDUCATION OVERSIGHT COMMITTEE.

An amendment to **Session Law 2010-162/Senate Bill 1248** requires local school administrative units to certify compliance with statutes regarding Personal Education Plans (PEPs). The Academic Services staff members have been in contact with the LEA Curriculum Leaders giving additional information regarding the PEP requirements. The new language directs that plans should be in place no later than the end of the first quarter of the school year. After receiving assurances from your principals that PEPs have been developed according to the statutory requirements, please submit your certification (attached) no later than January 15, 2011. You may sign electronically and submit by email to sauton@dpi.state.nc.us; fax to Susan Auton at (919) 807-4065 or mail to Susan Auton at 6368 Mail Service Center; Raleigh, NC 27699-6368.

We appreciate your attention to the new requirements. If you have any questions, please email Rebecca Garland at rgarland@dpi.state.nc.us. Thank you for everything you do daily for the students of North Carolina.

Attachments

1. Session Law 2010-112/House Bill 357
2. Session Law 2010-162/Senate Bill 1248
3. PEP certification sheet



PUBLIC SCHOOLS OF NORTH CAROLINA

DEPARTMENT OF PUBLIC INSTRUCTION | June St. Clair Atkinson, Ed.D., *State Superintendent*

WWW.NCPUBLICSCHOOLS.ORG

January 10, 2011

TO Superintendents

FROM Rebecca Garland *RG*

Happy New Year from Academic Services and Instructional Support, and welcome back from what I hope was a restful and enjoyable holiday season. This fall and winter have been very busy with finalizing steps to secure the *Race to the Top* funding and with State Board of Education (SBE) and General Assembly (GA) statutory changes. Following is a summary of major SBE/GA actions for your review, along with the appropriate Department of Public Instruction (DPI) personnel to contact if you or your staff have questions.

- In September, the SBE approved the Principal Evaluation rubric as the appropriate tool to use with assistant principals. All teachers, principals and assistant principals should, effective this year, be evaluated using the new evaluation processes. All summary evaluation data for these groups should be entered in the electronic tool by the end of this school year. Further information regarding this process will be sent to superintendents by mid-semester this spring. Beginning in July, all evaluations should be completed using the electronic tool secured by contract with McREL. The SBE approved the Superintendent Evaluation rubric for optional use with superintendents and central office personnel at the director level or above who are involved with academics. (Lynne Johnson)
- In October, the SBE extended the waiver for paid employment for students participating in the Occupational Course of Study. The waiver was extended for the graduating classes of 2010-11 and 2011-12 because of the high unemployment rate and the resulting difficulty for students seeking opportunities to satisfy the paid work requirement for the diploma. Students may use a variety of designated substitutions to satisfy the 360-hour requirement. (Mary Watson/Freda Lee)
- In October, the SBE approved the five indicators of the new Accountability Model: student performance (EOC/EOG), post-secondary readiness (to be determined), student growth, five-year cohort graduation rate, and mathematics course rigor. During the long session, SBE/DPI staff will be working with the General Assembly to modify statutory language regarding accountability. (Lou Fabrizio)
- In October, the SBE also eliminated the student gateways - the promotion requirement that students score proficient on EOGs in grades three, five, and eight and the graduation requirement that students score proficient on EOCs in English I, Algebra I, US History, Biology, and Civics and Economics. The change became effective immediately for all students currently enrolled in the public schools. Local school systems may continue to impose gateway requirements as a condition of promotion, graduation or remediation. The current retesting policy is still in effect; however, it may be reconsidered prior to the 2012-13 school year when new standards and assessments become operational. (Lou Fabrizio)

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- In November, the SBE approved modifications to the Beginning Teacher Support program to align the process with current teacher standards and the new teacher evaluation process. New mentor training is also being provided to complete the alignment. (Lynne Johnson)
- In December, the SBE defined **credit recovery** as a block of instruction that is less than the entirety of the Standard Course of Study for that course. When credit recovery is exercised, the original record of the course being completed and failed will remain on the transcript. LEAs shall use a grade of *pass or fail* for each credit recovery course. The mark will not affect the student's GPA. Credit recovery enables students to recover course credit; it is not intended for grade replacement. A local school board may not limit the number of credit recovery courses taken by a student prior to graduation.

The term **repeating a course for credit** will be used to refer to a high school course repeated via any delivery method when the entire Standard Course of Study for the course is being taught to the student for a second time. Students repeating a course for credit will receive a grade and take the associated end-of-course assessment, if appropriate. Students who have already made a Level III or IV on the associated end-of-course assessment may elect either to re-take the EOC and possibly raise their final average or re-use their first EOC score in the final grade calculation. The exam must count at least 25% of the final grade. Schools should use the higher of the scores for grade calculation if students have two EOC scores.

An ad hoc committee of state and local school personnel developed these definitions and procedures. The recommendations were vetted across the state with a variety of stakeholder input. Keith Beamon, Chief Academic Officer from Johnston County Schools, co-chaired this committee. The new definitions, policy, and procedures go into effect beginning in the 2011-12 school year. (Elissa Brown)

- In December, the SBE adopted new social studies standards that will become effective in the 2012-13 school year. The State Board also increased the number of social studies courses required for graduation to four, effective with the Freshmen Class of 2012-13. The required courses are World History, US History I, US History II, and Civics and Economics. AP US History will satisfy both US History courses; however, students are required to take a social studies elective to fulfill the fourth course requirement. By raising the number of required social studies courses to four, the number of credits required for graduation increases to 22, effective with the Freshmen Class of 2012-13. (Cindy Bennett)
- In 2007, when the SBE passed the Future-Ready Core Course of Study, the required mathematics courses changed. There are several pathways available for students to meet the new four-course mathematics requirement. Effective June 30, 2011, students may no longer be enrolled in Technical Mathematics I. The State Board determined that the Technical Mathematics course sequence as currently taught does not meet the necessary rigor for students to be prepared for college or careers; therefore, the courses will be "closed out" in NC WISE. In order to accommodate students already enrolled in the sequence, students will be allowed to register for Technical Mathematics II during the registration process this spring. Technical Mathematics II will be closed out in NC WISE on June 30, 2012. The mathematics consultants have been sharing this information with curriculum leaders during the past several years; however, we are still getting inquiries about these courses. Please make sure your principals and guidance counselors are aware of the elimination of Technical Mathematics I and II as course options for students in the future.

We also have been asked about the number and nature of new mathematics assessments for high school students. When we began the ACRE project, it was our intention to collapse the mathematics assessments

for the traditional and integrated delivery approach into one set of assessments that would be used for both courses of study. However the Common Core Mathematics standards were developed as separate trajectories, and collapsing the two approaches into one set of assessments is no longer feasible. We are continuing to review high school mathematics assessment options and will keep you posted. It is still our intention that students will have an assessment to match their mathematics course of study. While the two mathematics trajectories don't follow the same pacing patterns, by the end of both courses of study, students will have been exposed to the same mathematical competencies. (Cindy Bennett/ Barbara Bissell)

- During the 2010 Short Session, the General Assembly passed new requirements for superintendents about which we have already provided information. As a reminder:
 - Session Law 2010-112 requires school principals to authorize a minimum of two excused absences each academic year for religious observances and ensures that students be given an opportunity to make up any missed work. This same legislation requires that all schools open on Memorial Day shall instruct students on the significance of Memorial Day.
 - Session Law 2010-162 requires superintendents to certify compliance with statutes regarding Personal Education Plans. Plans should be in place each year by the end of the first quarter. Superintendents have been provided a certification form that should be sent in by Jan. 15, 2011.
 - Session Law 2010-159 has reporting requirements for corporal punishment, including very specific guidelines if the student to receive corporal punishment is a student with disabilities. Corporal punishment data will be collected in NC WISE along with suspension and expulsion data.
 - Session Law 2010-31 (The 2010 State Budget Act) also required certification from superintendents and local board chairs that Disadvantaged Student Supplemental Funding (DSSF) is not being used for re-segregation. Forms were sent to Finance Officers along with DSSF Plan information. (Rebecca Garland/Philip Price)

Even though we have been providing you with monthly updates of these actions as they have occurred, I felt it important that you have a summary to share/review with appropriate staff. Please remember this is ***not an exhaustive list***, but a capsulation of major actions. Information regarding State Board of Education meetings and policies may be found on the State Board's webpage – www.ncpublicschools.org/stateboard/.

As we approach the spring semester and the new session in the General Assembly, many of us will have to make very tough decisions regarding programs and staff. Please know that we are here to support you in any way we can. Together we will get through these trying times.

The mission in Academic Services and Instructional Support is to provide excellent service to the LEAs. Please let Angela Quick and/or me hear from you if you experience a lapse in timely customer service. Thank you for all you do every day for the over 1.4 million North Carolina public school children.

c: Dr. June Atkinson and Senior Cabinet Staff
Dr. Bill Harrison and SBE Members
Martez Hill and SBE Office Staff
LEA Curriculum Leaders
RESA Directors
Academic Services Directors



HISTORY OF MEMORIAL DAY

This document is to develop instructional information on the meaning and significance of Memorial Day.

Memorial Day, which falls on the last Monday of May, commemorates the men and women who died while serving in the American military.

Memorial Day was originally known as Decoration Day because it was a time set aside to honor the nation's Civil War dead by decorating their graves. It was first widely observed on May 30, 1868, to commemorate the sacrifices of Civil War soldiers, by proclamation of General John A. Logan of the Grand Army of the Republic, an organization of former sailors and soldiers. On May 5, 1868, Logan declared in General Order No. 11 that: *The 30th of May, 1868 is designated for the purpose of strewing with flowers, or decorating the graves of comrades who died in defense of their country during the late rebellion, and whose bodies now lie in almost every city, village, and hamlet churchyard in the land. In this observance no form or ceremony is prescribed, but posts and comrades will in their own way arrange such fitting services and testimonials of respect as circumstances may permit.*

During the first celebration of Decoration Day, General James Garfield made a speech at Arlington National Cemetery, after which 5,000 participants helped to decorate the graves of the more than 20,000 Union and Confederate soldiers buried in the cemetery.



In 1966, the federal government, under the direction of President Lyndon Johnson, declared Waterloo, N.Y., the official birthplace of Memorial Day. They chose Waterloo- which was first celebrated on May 5, 1866-because the town had made Memorial Day an annual, community-wide event during which businesses closed and residents decorated the graves of soldiers with flowers and flags.

By the late 1800s, many communities across the country began to celebrate Memorial Day. After World War I, observances also began to honor those who died in all of American's wars. In 1971, Congress declared Memorial Day a national holiday to be celebrated the last Monday in May.

Today, Memorial Day is celebrated at Arlington National Cemetery with a ceremony in which a small American flag is placed on each grave. Also, it is customary for the president or vice-president to give a speech honoring the contributions of the dead and lay a wreath at the Tomb of the Unknown Soldier. About 5,000 people attend annually.



Memorial Day is for Americans to offer tribute and honor to the heroes who laid down their lives to preserve freedom. Memorial Day is also an event when friends and families gather together and celebrate the holiday.

Webliography

History of Memorial Day <http://www.history.com/topics/memorial-day-history> . This website offers videos of the History of Memorial Day and other Memorial Day Tributes. One can find speeches made by Presidents, images of memorials and celebrations of the Memorial Day Holiday.

Memorial Day History <http://www.usmemorialday.org/backgrnd.html> . This website provides a background and an overview of Memorial Day with other sources and related links.

<http://www.pbs.org/memorialdayconcert/meaning> is a website that shows a National Memorial Day Concert, which is an annual event since 1979. The purpose of the concert is to unite the country in remembrance and appreciation for the fallen and those who are grieving.

Teacher guide to Memorial Day activities, lessons, and class ideas. Free lesson plans, printables and worksheets. <http://www.teach-nology.com/themes/holidays/memorialday>

<http://www.theteacherscorner.net/seasonal/memorial-day> Memorial Day lesson plans, activities and other seasonal information.

http://www.educationworld.com/holidays/archives/memorial_day.shtml Memorial Day lesson plans, activities and additional resources.