

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

H

2

HOUSE BILL 357*
Senate Education/Higher Education Committee Substitute Adopted 6/30/10

Short Title: School Absence for Religious Holidays.

(Public)

Sponsors:

Referred to:

March 3, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO DIRECT THE STATE BOARD OF EDUCATION, THE STATE BOARD OF
3 COMMUNITY COLLEGES, AND THE BOARD OF GOVERNORS OF THE
4 UNIVERSITY OF NORTH CAROLINA TO ADOPT RULES OR POLICIES
5 PERTAINING TO RELIGIOUS HOLIDAYS AND THE ACADEMIC WORK MISSED
6 BECAUSE OF THE OBSERVANCE OF THOSE HOLIDAYS.

7 The General Assembly of North Carolina enacts:

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

9 "**§ 115C-379. Method of enforcement.**

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

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

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

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

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

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



1 "(3a) The Board of Governors shall direct each constituent institution to adopt a
2 policy that authorizes a minimum of two excused absences each academic
3 year for religious observances required by the faith of a student. The policy
4 may require that the student provide written notice of the request for an
5 excused absence a reasonable time prior to the religious observance. The
6 policy shall also provide that the student shall be given the opportunity to
7 make up any tests or other work missed due to an excused absence for a
8 religious observance."

9 **SECTION 4.** This act is effective when it becomes law and applies beginning with
10 the 2010-2011 academic year.