

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL 230
Education/Higher Education Committee Substitute Adopted 3/20/19

Short Title: Excused Absences for Military Children.

(Public)

Sponsors:

Referred to:

March 13, 2019

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-Religious observance. - A minimum of two excused absences each~~
19 ~~academic year for religious observances required by the faith of a student or~~
20 ~~the student's parents-parent or legal guardian.~~

21 (2) Military leave. - A minimum of two excused absences each academic year if
22 all of the following conditions are met:

23 a. The student's parent or legal guardian is an active duty member of the
24 uniformed services, as defined by Article 29B of this Chapter, the
25 Interstate Compact on Educational Opportunity for Military Children.

26 b. The student's parent or legal guardian has been called to duty for, is on
27 leave from, or immediately returned from deployment to a combat
28 zone or combat support posting.

29 c. The student is not identified by the local school administrative unit as
30 at risk of academic failure because of unexcused absences.

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



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

6 **SECTION 2.** This act is effective when it becomes law and applies beginning with
7 the 2019-2020 school year.