



SENATE BILL 230: Excused Absences for Military Children.

2019-2020 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	March 28, 2019
Introduced by:	Sens. D. Davis, Brown, Ballard	Prepared by:	Susan Sitze*
Analysis of:	Second Edition		Staff Attorney

OVERVIEW: SB 230 would provide for a minimum of 2 days per academic year for excused absences related to a parent or legal guardian's service in a combat zone.

CURRENT LAW: G.S. 115C-378 requires every parent, guardian, or custodian having charge or control of a child between the ages of seven and 16 to ensure that the child attends school.

G.S. 115C-379 authorizes the State Board of Education to determine what is considered an unlawful absence, and what causes might constitute legitimate excuses for temporary nonattendance, such as a student's physical or mental inability to attend or participation in a valid educational opportunity.

Additionally, a minimum of two excused absences each academic year must be allowed for religious observances required by the faith of a student or the student's parents. Students can be required to give advance notice of absences for religious observances, but the students must be given the opportunity to make up any tests or other work missed.

Article 29B of Chapter 115C, the Interstate Compact on Educational Opportunity for Military Children, includes a provision that provides, at the discretion of the local superintendent, a student whose parent or legal guardian is an active duty member of the uniformed services, and has been called to duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting, may be granted additional excused absences to visit with his or her parent or legal guardian relative to such leave or deployment of the parent or guardian.

BILL ANALYSIS: SB 230 would add a new category of required excused absences. Students would be allowed a minimum of 2 days per academic year for military leave when the following requirements are met:

1. The student's parent or legal guardian is an active duty member of the uniformed services.
2. The parent or legal guardian has been called to duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting.
3. The student is not identified by the local school administrative unit as at risk of academic failure because of unexcused absences.

The student's parent or legal guardian would be required to give written notice of the request for leave a reasonable time prior to the absence, and the student must be given the opportunity to make up tests or missed work due to the absence.

EFFECTIVE DATE: SB 230 would become effective when it becomes law, and would apply beginning with the 2019-2020 school year.

*Kara McCraw, Staff Attorney, substantially contributed to this summary.

Karen Cochrane-Brown
Director



Legislative Analysis
Division
919-733-2578