

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

**SESSION LAW 2007-173
HOUSE BILL 150**

AN ACT FOR MODIFYING THE SCHOOL ADMISSION REQUIREMENTS TO ENSURE THAT EVERY CHILD IS READY TO ENTER KINDERGARTEN AND THEREBY REDUCE STUDENT DROPOUT RATES IN LATER GRADES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-364 reads as rewritten:

"§ 115C-364. Admission requirements.

(a) A child who is presented for enrollment at any time during the first 120 days of a school year is entitled to initial entry into the public schools if:

- (1) The child reaches or reached the age of 5 on or before ~~October 16~~August 31 of that school year; or
- (2) The child did not reach the age of 5 on or before ~~October 16~~August 31 of that school year, but has been attending school during that school year in another state in accordance with the laws or rules of that state before the child moved to and became a resident of North Carolina.

(b) A local board may allow a child who is presented for enrollment at any time after the first 120 days of a school year to be eligible for initial entry into the public schools if:

- (1) The child reached the age of 5 on or before ~~October 16~~August 31 of that school year; or
- (2) The child did not reach the age of 5 on or before ~~October 16~~August 31 of that school year, but has been attending school during that school year in another state in accordance with the laws or rules of that state before the child moved to and became a resident of North Carolina.

(c) The initial point of entry into the public school system shall be at the kindergarten level. If the principal of a school finds as fact subsequent to initial entry that a child, by reason of maturity can be more appropriately served in the first grade rather than in kindergarten, the principal may act under G.S. 115C-288 to implement this educational decision without regard to chronological age. The principal of any public school may require the parent or guardian of any child presented for admission for the first time to that school to furnish a certified copy of the child's birth certificate, which shall be furnished by the register of deeds of the county having on file the record of the birth of the child, or other satisfactory evidence of date of birth.

(d) A child who has passed the fourth anniversary of the child's birth on or before April 16 may enter kindergarten if the child is presented for enrollment no later than the end of the first month of the school year and if the principal of the school finds, based

on information submitted by the child's parent or guardian, that the child is gifted and that the child has the maturity to justify admission to the school. The State Board of Education shall establish guidelines for the principal to use in making this finding."

SECTION 2. This act is effective when it becomes law and applies beginning with the 2009-2010 school year.

In the General Assembly read three times and ratified this the 25th day of June, 2007.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ Joe Hackney
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 12:00 p.m. this 4th day of July, 2007