

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

**SESSION LAW 2005-318
HOUSE BILL 779**

AN ACT TO INCREASE THE PENALTY FOR AIDING AND ABETTING A
STUDENT'S UNLAWFUL ABSENCE FROM SCHOOL.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-380 reads as rewritten:

"§ 115C-380. Penalty for violation.

~~Any~~ Except as otherwise provided in G.S. 115C-379, any parent, guardian or other person violating the provisions of this Part shall be guilty of a ~~Class 3~~ Class 1 misdemeanor."

SECTION 2. G.S. 116-235(b)(2) reads as rewritten:

"(2) School Attendance. – Every parent, guardian, or other person in this State having charge or control of a child who is enrolled in the School and who is less than 16 years of age shall cause such child to attend school continuously for a period equal to the time which the School shall be in session. No person shall encourage, entice, or counsel any child to be unlawfully absent from the School. Any person who aids or abets a student's unlawful absence from the School shall, upon conviction, be guilty of a ~~Class 3~~ Class 1 misdemeanor. The Director of the School shall be responsible for implementing such additional policies concerning compulsory attendance as shall be adopted by the Board of Trustees, including regulations concerning lawful and unlawful absences, permissible excuses for temporary absences, maintenance of attendance records, and attendance counseling."

SECTION 3. This act becomes effective December 1, 2005, and applies to offenses committed on or after that date.

In the General Assembly read three times and ratified this the 16th day of August, 2005.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 12:17 p.m. this 25th day of August, 2005