

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

H

1

HOUSE BILL 437

Short Title: Modify Requirements for School Admission. (Public)

Sponsors: Representatives Folwell, Crawford, Sager, Hurley (Primary Sponsors);  
Blackwood, Cleveland, and Langdon.

Referred to: Education, if favorable, Judiciary I, if favorable, Appropriations.

March 9, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO MODIFY THE REQUIREMENTS FOR SCHOOL ADMISSION IN NORTH  
3 CAROLINA.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 115C-364(c) reads as rewritten:

6 "(c) The initial point of entry into the public school system shall be at the kindergarten  
7 level. If the principal of a school finds as fact subsequent to initial entry that a child, by reason  
8 of maturity can be more appropriately served in the first grade rather than in kindergarten, the  
9 principal may act under G.S. 115C-288 to implement this educational decision without regard  
10 to chronological age. The principal of any public school ~~may~~ shall require the parent or  
11 guardian of any child presented for admission for the first time to that school to furnish (i) a  
12 certified copy of the child's birth certificate, which shall be furnished by the register of deeds of  
13 the county having on file the record of the birth of the child, or other satisfactory evidence of  
14 date of ~~birth~~ birth, as provided in Article 4 of Chapter 130A of the General Statutes and (ii) a  
15 certificate of immunization as required by G.S. 130A-155."

16 **SECTION 2.** G.S. 130A-109 reads as rewritten:

17 "§ 130A-109. Birth certificate as evidence.

18 Certified copies of birth certificates shall be accepted by public school authorities in this  
19 State as prima facie evidence of the age of children registering for school attendance, and no  
20 other proof shall be required. In addition, certified copies of birth certificates shall be required  
21 by all factory inspectors and employers of youthful labor, as prima facie proof of age, and no  
22 other proof shall be required. However, when it is not possible to secure a certified copy of a  
23 birth certificate, ~~school authorities~~, factory inspectors and employers may accept as secondary  
24 proof of age any competent evidence by which the age of persons is usually  
25 ~~established~~ established; school authorities may accept as secondary proof of age a certified  
26 copy of any medical record of the child's birth issued by the treating physician or the hospital in  
27 which the child was born or a certified copy of a birth certificate issued by a church, mosque,  
28 temple, or other religious institution that maintains birth records of its members."

29 **SECTION 3.** G.S. 115C-366 is amended by adding a new subsection to read:

30 "(g1) When a child first enrolls in or transfers into the public schools of a local school  
31 administrative unit, the principal of the school to which the child is assigned shall require the  
32 parent to state whether the child is a citizen or a national of the United States, and if the child is  
33 not, the immigration status of the child. This information shall be used only for fiscal analysis  
34 and shall not be used to deny admission to a child who is a domiciliary of the local school  
35 administrative unit."



1                   **SECTION 4.** This act is effective when it becomes law and applies beginning with  
2 the 2009-2010 school year.