

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 744

Short Title: Safe Students Act. (Public)

Sponsors: Representatives Folwell, R. Brown, Hastings, and Torbett (Primary Sponsors).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Education.

April 7, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO ENACT THE SAFE STUDENTS ACT.

3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** This act may be cited as the "Safe Students Act."

5 **SECTION 2.** 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 3.** 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 4.** 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 5.** This act is effective when it becomes law and applies beginning with
2 the 2011-2012 school year.