

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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HOUSE BILL 235\*

Short Title: Parent's Consent Required to Quit School. (Public)

Sponsors: Representatives Lambeth, Whitmire, Brandon, and Ramsey (Primary Sponsors).  
*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Education, if favorable, Judiciary Subcommittee C.

March 7, 2013

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE THE PARENT'S CONSENT BEFORE A CHILD DROPS OUT OF  
3 SCHOOL.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 115C-378 reads as rewritten:

6 "§ 115C-378. Children required to attend.

7 (a) Every parent, guardian or custodian in this State having charge or control of a child  
8 between the ages of seven and ~~16~~18 years shall cause the child to attend school continuously  
9 for a period equal to the time which the public school to which the child is assigned shall be in  
10 ~~session~~ session, unless the child graduates from high school or the child drops out of school in  
11 accordance with subsection (a1) of this section. Every parent, guardian, or custodian in this  
12 State having charge or control of a child under age seven who is enrolled in a public school in  
13 grades kindergarten through two shall also cause the child to attend school continuously for a  
14 period equal to the time which the public school to which the child is assigned shall be in  
15 session unless the child has withdrawn from school.

16 (a1) A child between the ages of 16 and 18 years of age may drop out of school only if  
17 (i) the child and the child's parent, guardian, or custodian attend a final counseling session at  
18 the school, (ii) during that session a statement to encourage the child to remain in school or to  
19 pursue educational alternatives is presented to the child and the child's parent, guardian, or  
20 custodian, and (iii) the child and the child's parent, guardian, or custodian sign the statement.  
21 The statement shall include information regarding the academic skills that the child has not yet  
22 achieved, the difference in future earning power between a high school graduate and a high  
23 school dropout, and a listing of educational alternatives that are available for the child.

24 ...."

25 SECTION 2. G.S. 115C-238.66(3) reads as rewritten:

26 "(3) School attendance. – Every parent, guardian, or other person in this State  
27 having charge or control of a child who is enrolled in the regional school and  
28 who is less than ~~16~~18 years of age shall cause such child to attend school  
29 continuously for a period equal to the time that the regional school shall be  
30 in ~~session~~ session, unless the child graduates from high school or the child  
31 drops out of school in accordance with G.S. 115C-378(a1). No person shall  
32 encourage, entice, or counsel any child to be unlawfully absent from the  
33 regional school. Any person who aids or abets a student's unlawful absence  
34 from the regional school shall, upon conviction, be guilty of a Class 1  
35 misdemeanor. The principal shall be responsible for implementing such



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1 additional policies concerning compulsory attendance as shall be adopted by  
2 the board of directors, including regulations concerning lawful and unlawful  
3 absences, permissible excuses for temporary absences, maintenance of  
4 attendance records, and attendance counseling."

5 **SECTION 3.** G.S. 116-235(b)(2) reads as rewritten:

6 "(2) School Attendance. – Every parent, guardian, or other person in this State  
7 having charge or control of a child who is enrolled in the School and who is  
8 less than ~~46~~18 years of age shall cause such child to attend school  
9 continuously for a period equal to the time which the School shall be in  
10 ~~session~~session, unless the child graduates from high school or the child  
11 drops out of school in accordance with G.S. 115C-378(a1). No person shall  
12 encourage, entice, or counsel any child to be unlawfully absent from the  
13 School. Any person who aids or abets a student's unlawful absence from the  
14 School shall, upon conviction, be guilty of a Class 1 misdemeanor. The  
15 Chancellor of the School shall be responsible for implementing such  
16 additional policies concerning compulsory attendance as shall be adopted by  
17 the Board of Trustees, including regulations concerning lawful and unlawful  
18 absences, permissible excuses for temporary absences, maintenance of  
19 attendance records, and attendance counseling."

20 **SECTION 4.** G.S. 7B-1501(27) reads as rewritten:

21 "(27) Undisciplined juvenile. –

22 a. A juvenile who, while less than 16 years of age but at least 6 years of  
23 age, is unlawfully absent from school; or is regularly disobedient to  
24 and beyond the disciplinary control of the juvenile's parent, guardian,  
25 or custodian; or is regularly found in places where it is unlawful for a  
26 juvenile to be; or has run away from home for a period of more than  
27 24 hours; ~~or~~

28 a1. A juvenile who is 16 or 17 years of age and who has not dropped out  
29 of school in accordance with G.S. 115C-378(a1) is unlawfully absent  
30 from school; or is regularly disobedient to and beyond the  
31 disciplinary control of the juvenile's parent, guardian, or custodian;  
32 or is regularly found in places where it is unlawful for a juvenile to  
33 be; or has run away from home for a period of more than 24 hours; or

34 b. A juvenile who is 16 or 17 years of age who has dropped out of high  
35 school and who is regularly disobedient to and beyond the  
36 disciplinary control of the juvenile's parent, guardian, or custodian;  
37 or is regularly found in places where it is unlawful for a juvenile to  
38 be; or has run away from home for a period of more than 24 hours."

39 **SECTION 5.** G.S. 143B-805(20) reads as rewritten:

40 "(20) Undisciplined juvenile. –

41 a. A juvenile who, while less than 16 years of age but at least 6 years of  
42 age, is unlawfully absent from school; or is regularly disobedient to  
43 and beyond the disciplinary control of the juvenile's parent, guardian,  
44 or custodian; or is regularly found in places where it is unlawful for a  
45 juvenile to be; or has run away from home for a period of more than  
46 24 hours; ~~or~~

47 a1. A juvenile who is 16 or 17 years of age and who has not dropped out  
48 of school in accordance with G.S. 115C-378(a1), is unlawfully  
49 absent from school; or is regularly disobedient to and beyond the  
50 disciplinary control of the juvenile's parent, guardian, or custodian;

1                                   or is regularly found in places where it is unlawful for a juvenile to  
2                                   be; or has run away from home for a period of more than 24 hours; or  
3                                   b.    A juvenile who is 16 or 17 years of age who has dropped out of high  
4                                   school and who is regularly disobedient to and beyond the  
5                                   disciplinary control of the juvenile's parent, guardian, or custodian;  
6                                   or is regularly found in places where it is unlawful for a juvenile to  
7                                   be; or has run away from home for a period of more than 24 hours."

8                                   **SECTION 6.** This act is effective when it becomes law and applies beginning with  
9                                   the 2013-2014 school year.