

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 744
Committee Substitute Favorable 6/7/11
Third Edition Engrossed 6/8/11

Short Title: Safe Students Act.

(Public)

Sponsors:

Referred to:

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 only competent and verifiable evidence
26 as secondary proof of age, specifically including but not limited to: (i) a certified copy of any
27 medical record of the child's birth issued by the treating physician or the hospital in which the
28 child was born, or (ii) a certified copy of a birth certificate issued by a church, mosque, temple,
29 or other religious institution that maintains birth records of its members."

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

