

1 16 NCAC 06C .0110 is adopted with changes as published in 40:19 NCR 1551–1553 as follows:

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3 **16 NCAC 06C .0110 QUALIFICATIONS OF SCHOOL NURSES**

4 (a) Any person employed or contracted to serve as a school nurse in a North Carolina public school shall meet all
5 qualifications established by the State Board of Education ("SBE"). At minimum, the person shall:

6 (1) Be licensed as a registered nurse under Chapter 90, Article 9A of the General Statutes and have at
7 least two years of experience serving as a nurse in a hospital or health clinic; or

8 (2) Be certified by the American Nurses Credentialing Center or the National Board for Certification
9 of School Nurses.

10 (b) A school nurse employed by or under contract with a public school unit who meets either of these qualifications
11 shall be paid under the certified school nurse pay scale as established by the SBE. A nurse employed by a local health
12 department, as defined in G.S. 130A-2(5), and contracted to serve as a school nurse shall be paid according to the
13 local pay schedule established by the county government.

14 (b) Any person employed or contracted to serve as a school nurse in a North Carolina public school shall complete all
15 training requirements established by the SBE. At minimum, the person shall:

16 (1) Within six months of starting employment or a contract with a public school unit ("PSU"), complete
17 the School Nurse Orientation Modules offered by the North Carolina Department of Health and
18 Human Services ("DHHS"); and

19 (2) Within two years of starting employment or a contract with a PSU, complete the School Nurse Roles
20 and Responsibilities course offered by DHHS.

21 (c) The person shall provide proof of completion of these training requirements to the employing or contracting PSU
22 by the established deadline. If the person completed these requirements prior to employment or contract with the PSU,
23 the person is not required to repeat those requirements so long as proof of completion is provided to the PSU.

24 (d) Nothing in this Rule shall be construed to prevent a PSU from requiring additional qualifications or training for a
25 school nurse under its employment or contract.

26 (e) This Rule applies to school nurses initially hired or contracted for on or after July 1, 2025.

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29 *History Note: Authority G.S. 115C-12(9); 115C-315;*
30 *Temporary Adoption Eff. November 7, 2025;*
31 *Eff. August 1, 2026.*

1 16 NCAC 06E .0101 is readopted as published in 40:19 NCR 1553–1557 as follows:

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3 **SUBCHAPTER 6E - STUDENTS**

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5 **SECTION .0100 - ATTENDANCE**

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7 **16 NCAC 06E .0101 ~~ATTENDANCE DEFINED~~ DEFINITIONS**

8 ~~To be considered in attendance, a student shall be present in the school or at a place other than the school with the~~
9 ~~approval of the appropriate school official to attend an authorized school activity. These activities include field trips,~~
10 ~~athletic contests, student conventions, music festivals or similar activities.~~

11 For purposes of this Section, the following definitions shall apply:

12 (1) "Compulsory Attendance Law" means G.S. 115C-378.

13 (2) "Homebound instruction" is defined in G.S. 115C-106.3(5a).

14 (3) "Local superintendent" means the superintendent of a local school administrative unit, as provided
15 in Chapter 115C, Article 18 of the General Statutes, or the staff member with the highest decision-
16 making authority for a PSU, if there is no superintendent.

17 (4) "Membership" means enrollment in a public school unit with a class schedule covering at least one
18 half of the instructional day.

19 (5) "Principal" means a school administrator employed as the principal of a school, as provided in
20 Chapter 115C, Article 19 of the General Statutes, or the staff member with the highest decision-
21 making authority at a school, if there is no principal.

22 (6) "Remote academy" means:

23 (A) A remote academy approved by the State Board of Education under G.S. 115C-234.15; or

24 (B) A remote charter academy approved by the Charter Schools Review Board under G.S.
25 115C-218.123.

26 (7) "Remote instruction" is defined in G.S. 115C-84.3(a).

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28 *History Note: Authority G.S. 115C-378; 115C-379;*

29 *Eff. July 1, 1986;*

30 *Amended Eff. June 1, ~~1996~~ 1996;*

31 *Readoption Eff. August 1, 2026.*

16 NCAC 06E .0102 is readopted with changes as published in 40:19 NCR 1553–1557 as follows:

16 NCAC 06E .0102 ATTENDANCE ~~EXCUSED~~ REQUIREMENTS

(a) To be considered in attendance on any given instructional day:

(1) The student shall be physically present either:

(A) In the school under the supervision of school personnel for at least one-half of the instructional day; or

(B) In a place other than the school with the approval of the appropriate school official to attend a school-sponsored activity, such as a field trip, athletic contest, student convention, musical festival, or similar activity;

(2) If the student is enrolled in a remote academy, the student shall log into the assigned learning management system at least once per day consistent with the remote academy plan approved by the State Board of Education in accordance with G.S. 115C-234.15 or the Charter Schools Review Board in accordance with G.S. 115C-218.123; or

(3) If the student is participating in remote instruction other than **through** a remote academy, the student shall complete the student's assignments for each remote instruction day, either online or offline, consistent with the remote instruction plan approved by the State Board of Education in accordance with G.S. 115C-84.3

(b) A student shall not be recorded as in attendance until the student has, following enrollment, attended at least one-half of an instructional day in accordance with Paragraph (a). If the student is enrolled in a remote academy, the student shall log into the assigned learning management system and be virtually present and responsive on the first instructional day. A student shall not participate in remote instruction other than through enrollment in a remote academy until the student has been in physical attendance for at least one instructional day.

~~(a)~~ (c) LEAs A public school unit ("PSU") shall excuse the temporary absence of a student ~~upon a showing of satisfactory evidence of one of the following bases: if the~~ **[appropriate school official] principal, local superintendent, or designee of the principal or local superintendent** determines by a preponderance of the evidence that the absence was for one of the following lawful reasons:

(1) ~~Illness or injury~~ The student or, if the student is a custodial parent, a child in the student's care, has a physical or mental illness or injury that prevents the student from being ~~physically~~ able to attend school.

(2) The student is isolating in accordance with directives from the local health ~~officer or~~ department, the ~~State Board of Health orders the isolation of the student.~~ North Carolina Department of Health and Human Services, or the Centers for Disease Control and Prevention.

(3) The student ~~is absent due to~~ **has suffered** the death of ~~a member of the immediate family.~~ **an immediate family member.** For purposes of this Rule, "immediate family member" means a spouse, parent, legal guardian or custodian, grandparent, child, grandchild, brother, sister, half-sibling, or step-sibling. The term applies to any such relationship whether by blood, adoption, or marriage.

- 1 (4) The student or, if the student is a custodial parent, a child in the student's care, has a medical or
2 dental appointment.
- 3 (5) The student is a party to or is under subpoena as a witness in the proceedings of a court or
4 administrative tribunal. For purposes of this Rule, an administrative tribunal shall include the
5 governing body of the PSU.
- 6 (6) The student is absent due to a religious observance ~~in accordance with local school board policy,~~
7 required by the faith of the student or the student's parent or legal guardian. A student is entitled to
8 at least two absences for this purpose each school year, but the parent or legal guardian shall provide
9 the PSU with notice of the intended absence at least one instructional day in advance. The PSU shall
10 offer the student the opportunity to make up any tests or other assignments missed due to these
11 absences.
- 12 (7) The student obtains prior approval from the local superintendent or designee to take advantage of a
13 valid educational opportunity; an educational opportunity outside of school, such as travel, service
14 as a legislative page or Governor's page.
- 15 (8) The student cannot safely travel to school due to a natural disaster, provided the area in which the
16 student resides or through which the student must travel has been declared a disaster area by the
17 Federal Emergency Management Agency.
- 18 (9) The student is receiving educational services outside of school under one of the following
19 conditions:
- 20 (A) Medical necessity initiated by a medical report or physician's orders and documented in
21 the student's written homebound instruction plan, Section 504 plan, or Individualized
22 Education Program ("IEP").
- 23 (B) The student's IEP Team has determined that placement of the student outside of school is
24 the least restrictive environment available given the student's needs and has documented
25 that need in the student's IEP or Section 504 plan.
- 26 (10) The student is receiving educational services through the Teacher-in-Treatment Program
27 administered by the North Carolina Department of Health and Human Services.
- 28 (11) The student satisfies the following criteria for military-affiliated absences:
- 29 (A) The student's parent or legal guardian is an active-duty member of the uniformed services,
30 as defined in G.S. 115C-407.5;
- 31 (B) The student's parent or legal guardian has been called to duty for, is on leave from, or has
32 immediately returned from deployment to a combat zone or combat support posting; and
- 33 (C) The student has not been identified by the PSU as being at risk of academic failure due to
34 unexcused absences.
- 35 A student is entitled to at least two absences for this purpose each school year, but the parent or
36 legal guardian shall provide the PSU with notice of the intended absence at least one instructional
37 day in advance.

1 (d) A PSU shall not excuse students for nonattendance due to immediate demands of the farm or the home, unless
2 such demands satisfy one of the lawful reasons for absence listed in Paragraph (c).

3 ~~(b) (c) LEAs may~~ A PSU shall have the authority to excuse the temporary or occasional absences ~~absence of a student~~
4 ~~for other reasons in accordance with local board policies, policies adopted by the governing body of the PSU, provided~~
5 ~~that the student has been in attendance for at least one half of the school day.~~ is currently in membership.

6 (f) A student's willful absence from school, with or without the knowledge of the student's parent or legal guardian,
7 or a student's absence from school for any reason other than those permitted by this Rule or Rule .0104 of this Section,
8 shall be deemed unlawful for purposes of the Compulsory Attendance Law.

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12 *History Note: Authority G.S. 115C-84.3; 115C-378; 115C-379;*

13 *Eff. July 1, 1986;*

14 *Amended Eff. June 1, ~~1996~~ 1996;*

15 *Readoption Eff. August 1, 2026.*

16 NCAC 06E .0103 is readopted as published in 40:19 NCR 1553–1557 as follows:

16 NCAC 06E .0103 ENFORCEMENT

(a) ~~Each LEA must~~ public school unit ("PSU") shall enforce within its jurisdiction the state laws and regulations which rules that relate to compulsory attendance. ~~LEAs~~ The PSU governing body may adopt rules which policies that allow ~~teachers~~ a teacher to consider a student's absences in the computation of the student's grades. Each PSU shall communicate all attendance obligations and procedures to students, parents, and legal guardians before the first day of each school year.

(b) Duties of Teachers. It shall be the duty of each teacher to:

- (1) Inform students and parents of the importance of regular school attendance through classroom activities, programs and announcements at parent-teacher association meetings and parent-teacher conferences, and other engagements with the school community;
- (2) Record absences and reasons for those absences in accordance with the policies and procedures of the PSU; and
- (3) Maintain accurate student attendance records.

(c) Duties of School Social Workers. It shall be the duty of each school social worker to:

- (1) Investigate potential violations of the Compulsory Attendance Law reported by a teacher or the principal;
- (2) Work with the student and the student's parent or legal guardian to determine the reasons for the absences and determine appropriate responsive measures, including adjustments to the school program or the provision of supplemental services;
- (3) Report violations of the Compulsory Attendance Law to local law enforcement and provide all documentation necessary for prosecution under G.S. 115C-380.

(d) Duties of Principals. It shall be the duty of each principal to:

- (1) Execute the duties assigned to principals under G.S. 115C-378;
- (2) Inform students and parents of the importance of regular school attendance;
- (3) Inform teachers, social workers, and other staff under the principal's supervision of their obligations with respect to the Compulsory Attendance Law; and
- (4) Provide teachers with the necessary resources to document student attendance.

(e) Duties of Local Superintendents. It shall be the duty of each local superintendent to:

- (1) Enforce within the PSU those state laws, State Board of Education rules, and local policies of the PSU that relate to compulsory attendance;
- (2) Inform students, parents, and the general public of the importance of regular school attendance through PSU staff meetings, parent-teacher association meetings, press releases, and other public media;
- (3) Inform principals, teachers, social workers, and other staff under the superintendent's supervision of their obligations with respect to the Compulsory Attendance Law; and

1 (4) Coordinate meetings between teachers, social workers, and principals as needed for discussions
2 concerning school attendance and enforcement of the Compulsory Attendance Law.

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5 *History Note:* Authority G.S. 115C-378; 115C-379; G.S. 115C-380; 115C-381;
6 Eff. July 1, ~~1986~~ 1986;
7 Readoption Eff. August 1, 2026.
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1 16 NCAC 06E .0104 is readopted as published in 40:19 NCR 1553–1557 as follows:

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3 **16 NCAC 06E .0104 INVOLUNTARY SUSPENSIONS**

4 The absence of a student which results from the suspension or expulsion of that student for ~~misconduct~~ disciplinary
5 reasons pursuant to the provisions of ~~G.S. 115C-391~~ Chapter 115C, Article 27 of the General Statutes shall not ~~be~~
6 ~~used for a compulsory attendance violation action.~~ constitute a violation of the Compulsory Attendance Law.

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8 *History Note: Authority G.S. 115C-378; 115C-379; 115C-380;*

9 *Eff. July 1, 1986;*

10 *Amended Eff. June 1, ~~1996~~ 1996;*

11 *Readoption Eff. August 1, 2026.*

16 NCAC 06E .0105 is readopted as published in 40:19 NCR 1553–1557 as follows:

16 NCAC 06E .0105 EARLY ADMISSION TO KINDERGARTEN

(a) ~~To determine the eligibility of a four year old child to enter kindergarten~~ A child who turns four years old on or before April 16 may be admitted to Kindergarten for the following school year pursuant to the provisions of G.S. 115C-364(d), the principal shall confer with a committee of professional educators to consider for each child the following factors: G.S. 115C-364(d) if the principal, after conferring with a committee of professional educators, determines at the student meets the following requirements:

- (1) Student Aptitude. The child ~~shall be previous~~ is functioning at a level two to three years beyond peers of the same age in academic and social development and ~~shall score~~ has scored at or above the 98th percentile on a standard individual test of intelligence such ~~as the Stanford-Binet, as:~~

(A) The Stanford-Binet;

(B) The Wechsler Preschool and Primary Scale of Intelligence, the Intelligence;

(C) The Kaufman Anderson, Anderson; or

(D) ~~any~~ Any other comparable test administered by a licensed psychologist.

- (2) Achievement. The child ~~shall be~~ is functioning from at a level two to three years beyond ~~the child's peers.~~ peers of the same age. The child shall score at the 98th percentile on either reading or mathematics on a standard test of achievement such ~~as the as:~~

(A) The Metropolitan Readiness Test, the Test;

(B) The Stanford Early School Achievement Test, Test;

(C) The Mini Battery of Achievement, the Woodcock-Johnson, the Achievement;

(D) The Woodcock-Johnson;

(E) The Test of Early Mathematics Ability (TEMA), the ("TEMA");

(F) The Test of Early Reading Ability (TERA), ("TERA"); or

(G) ~~any~~ Any other comparable test administered by a licensed psychologist, a member of the psychologist's professional staff, or a professional educator who is trained in the use of the instrument and who has no conflict of interest in the outcome of the assessment.

- (3) Performance. The child ~~shall be~~ is able to perform tasks well above ~~age peers as~~ peers of the same age, as evidenced by behaviors in ~~one or more~~ areas such as independent reading, problem solving skills, advanced vocabulary, and some writing fluency. The parents shall submit a sample of the child's work that shows outstanding ~~examples of ability in any area including, but not limited to,~~ including art, mathematics, writing, dramatic play, creative productions, science, or social interactions. The principal may also require a teacher to complete an informal reading assessment of the child.

- (4) Observable Student Behavior/Student Interest. The child ~~shall demonstrate~~ demonstrates social and developmental maturity sufficient to participate in a structured setting for a full school day. The child shall be capable of following verbal instructions and functioning independently within a group.

The parent shall provide two recommendation letters with specific documentation of physical and social maturity from preschool teachers, child care workers, pediatricians, or others who have direct knowledge of the child. ~~Useful documentation checklists include~~ Other useful documentation includes the child's performance on the California Preschool Competency Scale, the Harrison Teacher's Observation of Potential in Students ("TOPS") Scale, or any other comparable scale of early social development.

- (5) Motivation/Student Interest. The principal or principal's designee shall conduct an informal interview with the child and a more structured interview with the parent to determine if the child displays a ~~thirst~~ desire for knowledge and seeks new and challenging learning situations.

(b) The parent ~~or legal guardian of the child~~ shall present ~~the information required by this Rule~~ all evidence in support of their child's early entry into Kindergarten to the principal within the first 30 calendar days of the school's instructional year. All testing shall be administered at the parent's or legal guardian's expense after the April 16th that follows the child's fourth birthday.

(c) The principal shall decide whether to grant the ~~parent's~~ request for enrollment within three weeks after receiving ~~this information, the evidence provided by the parent or legal guardian.~~ The principal may conditionally enroll the child for up to 90 days ~~in order~~ to observe whether the child is able to adjust to the school setting. If the principal determines that the child has not adjusted to the school setting, the principal shall deny the request for enrollment.

~~(d) However, before the child is exited~~ Before removing the child from school, the principal shall invite the parent ~~or legal guardian~~ to assist in the development of intervention strategies for the child. If those strategies are not successful, the principal shall provide the parent ~~or legal guardian~~ at least 10 ~~days~~ days' notice before ~~exiting~~ removing the child from school ~~so the parent may arrange child care, if needed.~~ school.

~~(e) LEAs may require parents to supply information in addition to that required by this Rule. LEAs may also require specific tests or other measures to provide information relating to the factors listed in Paragraph (a) of this Rule.~~

(e) Nothing in this Rule shall preclude a local board of education from adopting policies that require a parent or legal guardian to provide additional information beyond the requirements of this Rule, including results of other standardized tests or measures related to the child's giftedness or maturity.

~~(d) (f) Early admission to kindergarten shall not automatically result in the placement of the child in the program for academically gifted students. By the time~~ After the child has been enrolled for 90 calendar days, or at any earlier time that ~~school officials determine~~ the principal has determined that the child has adjusted ~~satisfactorily~~ and shall be allowed to remain in school, the ~~gifted identification team~~ local school administrative unit shall review the child's information to determine if the child shall receive ~~gifted services.~~ services for academically or intellectually gifted students in accordance with the local plan developed under G.S. 115C-150.9. If the team determines that the child shall receive gifted services, it shall develop either a differentiated education plan or an individual differentiated education plan for the child.

History Note: Authority G.S. 115-150.6; 115C-364(d); N.C. Constitution, Article IX, Sec. 5;
Temporary Adoption Eff. August 18, 1997;

- 1 *Eff. March 15, ~~1999~~ 1999;*
- 2 *Readoption Eff. August 1, 2026.*

1 16 NCAC 06G .0602 is adopted as published in 40:19 NCR 1557 as follows:

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3 **SECTION .0600 – ~~REMOTE ACADEMIES~~ TECHNOLOGY AND INFORMATION SERVICES**

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5 **16 NCAC 06G .0602 TECHNOLOGY COST CONSIDERATIONS**

6 (a) Each public school unit (“PSU”) shall evaluate the following factors when acquiring technology, computer
7 hardware, or computer software.

8 (1) The long-term cost of ownership of the technology, hardware, or software, including anticipated
9 costs of maintenance, support, licensing, subscription renewals, and repair.

10 (2) Any flexibility for innovation in the use of the technology, hardware, or software to support
11 instructional innovation, software upgrades, and evolving educational needs.

12 (3) Any anticipated resale or salvage value at the end of the target lifecycle for the technology,
13 hardware, or software. The anticipated value shall be calculated as a percentage of the initial
14 purchase cost based on the comparable market value of the technology, hardware, or software at the
15 end of its useful life.

16 (b) The PSU shall retain documentation of the evaluation for a minimum of three years and shall provide such
17 documentation to the State Board of Education upon request.

18 (c) Each PSU shall submit the report required by G.S. 115C-102.11 no later than June 30th of each school year.

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20 History Note: Authority G.S. 115C-13; 115C-102.10; 115C-102.11;
21 Eff. August 1, 2026.