

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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SENATE BILL 444  
House Committee Substitute Favorable 6/23/04  
Third Edition Engrossed 6/24/04

Short Title: School Info/Meningitis and Flu.

(Public)

Sponsors:

Referred to:

March 17, 2003

A BILL TO BE ENTITLED

AN ACT TO ENSURE THAT EDUCATIONAL MATERIALS ARE PROVIDED SO THAT SCHOOLS PROVIDE INFORMATION TO PARENTS AND GUARDIANS CONCERNING MENINGOCOCCAL MENINGITIS AND INFLUENZA AND THEIR VACCINES.

The General Assembly of North Carolina enacts:

**SECTION 1.** This act shall be known as "Garrett's Law".

**SECTION 2.** G.S. 115C-47 is amended by adding a new subdivision to read:

"(44) To Ensure that Schools Provide Information Concerning Meningococcal Meningitis and Influenza and Their Vaccines. – Local boards of education shall ensure that schools provide parents and guardians with information about meningococcal meningitis and influenza and their vaccines at the beginning of every school year. This information shall include the causes, symptoms, and how meningococcal meningitis and influenza are spread and the places where parents and guardians may obtain additional information and vaccinations for their children."

**SECTION 3.** G.S. 115C-238.29F(a) reads as rewritten:

"(a) Health and Safety Standards. – A charter school shall meet the same health and safety requirements required of a local school administrative unit. The Department of Public Instruction shall ensure that charter schools provide parents and guardians with information about meningococcal meningitis and influenza and their vaccines at the beginning of every school year. This information shall include the causes, symptoms, and how meningococcal meningitis and influenza are spread and the places where parents and guardians may obtain additional information and vaccinations for their children."

**SECTION 4.** G.S. 115C-548 reads as rewritten:

**"§ 115C-548. Attendance; health and safety regulations.**

1 Each private church school or school of religious charter shall make, and maintain  
2 annual attendance and disease immunization records for each pupil enrolled and  
3 regularly attending classes. Attendance by a child at any school to which this Part  
4 relates and which complies with this Part shall satisfy the requirements of compulsory  
5 school attendance: ~~Provided, however, that such attendance so long as the school~~  
6 ~~operates on a regular schedule, excluding reasonable holidays and vacations, during at~~  
7 ~~least nine calendar months of the year. Each school shall be subject to reasonable fire,~~  
8 ~~health and safety inspections by State, county and municipal authorities as required by~~  
9 ~~law.~~

10 The Division of Nonpublic Education, Department of Administration, shall ensure  
11 that materials are provided to these schools so that they can provide parents and  
12 guardians with information about meningococcal meningitis and influenza and their  
13 vaccines at the beginning of every school year. This information may be provided  
14 electronically or on the Division's Web page. This information shall include the causes,  
15 symptoms, and how meningococcal meningitis and influenza are spread and the places  
16 where parents and guardians may obtain additional information and vaccinations for  
17 their children."

18 **SECTION 5.** G.S. 115C-556 reads as rewritten:

19 **"§ 115C-556. Attendance; health and safety regulations.**

20 Each qualified nonpublic school shall make, and maintain annual attendance and  
21 disease immunization records for each pupil enrolled and regularly attending classes.  
22 Attendance by a child at any school to which this Part relates and which complies with  
23 this Part shall satisfy the requirements of compulsory school attendance: ~~Provided,~~  
24 ~~however, that such attendance so long as the school operates on a regular schedule,~~  
25 ~~excluding reasonable holidays and vacations, during at least nine calendar months of the~~  
26 ~~year. Each school shall be subject to reasonable fire, health and safety inspections by~~  
27 ~~State, county and municipal authorities as required by law.~~

28 The Division of Nonpublic Education, Department of Administration, shall ensure  
29 that materials are provided to each qualified nonpublic school so that the school can  
30 provide parents and guardians with information about meningococcal meningitis and  
31 influenza and their vaccines at the beginning of every school year. This information  
32 may be provided electronically or on the Division's Web page. This information shall  
33 include the causes, symptoms, and how meningococcal meningitis and influenza are  
34 spread and the places where parents and guardians may obtain additional information  
35 and vaccinations for their children."

36 **SECTION 6.** G.S. 115C-565 reads as rewritten:

37 **"§ 115C-565. Requirements exclusive.**

38 No school which complies with this Part shall be subject to any other provision of  
39 law relating to education except requirements of law respecting immunization. The  
40 Division of Nonpublic Education, Department of Administration, shall provide to home  
41 schools information about meningococcal meningitis and influenza and their vaccines.  
42 This information may be provided electronically or on the Division's Web page. The  
43 information shall include the causes, symptoms, and how meningococcal meningitis and

1 influenza are spread and the places where parents and guardians may obtain additional  
2 information and vaccinations for their children."

3           **SECTION 7.** The Division of Public Health, Department of Health and  
4 Human Services, shall make available sample educational materials that can be  
5 provided to parents and guardians. The Division shall provide these materials to (i) local  
6 school administrative units for public schools other than charter schools, (ii) the  
7 Department of Public Instruction for charter schools, and (iii) the Division of Nonpublic  
8 Education, Department of Administration, for nonpublic schools including home  
9 schools. These materials may be provided electronically.

10           **SECTION 8.** This act becomes effective July 1, 2004, beginning with the  
11 2004-2005 school year.