

01 NCAC 40 .0302 DEFINITIONS

For the purposes of this Chapter, the following definitions shall apply:

- (1) "High school diploma or its equivalent" means a high school diploma issued by a non-public school which meets the requirements of G.S. 115C, Article 39 and also includes the General Equivalency Diploma or the adult high school diploma.
- (2) "Making progress toward obtaining a high school diploma or its equivalent" means that the student must meet standards established by the chief administrator, or the chief administrator's designee, in the case of conventional nonpublic school or by the chief administrator of the home school or the educational program.
- (3) "Substantial hardship" means a demonstrable burden on the student or the student's family as evidenced by circumstances such as the following:
 - (a) The parent/guardian is unable to drive due to illness or other impairment and the student is the only person of driving age in the household.
 - (b) The student requires transportation to and from a job that is necessary to the welfare of the student's family and the student is unable to obtain transportation by any means other than driving.
 - (c) The student has been unable to attend a conventional nonpublic school due to documented medical reasons, but the student demonstrates the ability to make progress toward obtaining a high school diploma or its equivalent.
- (4) A "student who cannot make progress toward obtaining a high school diploma or its equivalent" shall mean a student who has been identified by the chief administrator, or the chief administrator's designee, in the case of a conventional nonpublic school or by the chief administrator of the home school or the educational program, as not having the capacity to meet the requirements for a high school diploma or its equivalent due to a disability.
- (5) "Exemplary student behavior" means the student has not received school disciplinary action as described in G.S. 20-11(n1)(1)c for the enumerated student conduct listed in G.S. 20-11(n1)(1)d in accordance with G.S. 20-11(n1)(2) through (4).
- (6) "Successful completion of a drug or alcohol treatment counseling program" means the student has completed all requirements of the counseling program which the chief administrator or the chief administrator's designee of the non-public school or educational program has determined best suits that student's needs.
- (7) "Conventional nonpublic school" means a school operating only under either G.S. 115C, Article 39, Part 1 or Part 2.
- (8) "Division" means the Division of Nonpublic Education, except where otherwise identified.
- (9) "Educational program" means an alternative academic program of instruction found by a court prior to July 1, 1998, to comply with the Compulsory Attendance Law, G.S. 115C, Article 26, Part 1.
- (10) "Home school" means a nonpublic school operating under G.S. 115C, Article 39, Part 3.

History Note: Authority G.S. 115C-566;

Eff. April 1, 2003;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018.