



North Carolina  
Department of Administration  
Division of Non-Public Education

Machelle Sanders  
Secretary

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Director

### Withdrawing a Five or Six Year-Old Student from Public School

Our statute (G.S. 115C- 563) allows us to provide a means of legal schooling for students of compulsory attendance age (ages 7 – 16). It is the policy of this Division not to open a homeschool if the only enrolled children are younger than 7 years old as we have no legal mandate to do so.

**A 5 year-old or a 6 year-old currently enrolled in a public school may be legally withdrawn without filing a Notice of Intent with the DNPE.** Public school officials should not require a parent to file a Notice of Intent with our Division before withdrawing 5 or 6 year-old children. Parents are legally allowed to withdraw children under compulsory attendance age from a public or private school without enrolling them into another school.

Children who are turning 7 before the June 30 of this current year should be removed to a legally operating homeschool.

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The public school statute reads as follows:

#### § 115C-378. Children required to attend.

(a) Every parent, guardian or custodian in this State having charge or control of a child between the ages of seven and 16 years shall cause the child to attend school continuously for a period equal to the time which the public school to which the child is assigned shall be in session. Every parent, guardian, or custodian in this State having charge or control of a child under age seven who is enrolled in a public school in grades kindergarten through two shall also cause the child to attend school continuously for a period equal to the time which the public school to which the child is assigned shall be in session ***unless the child has withdrawn from school.***

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Please print this page and take it to the school from which you are withdrawing your child. Point out the underlined and bold portion of the statute to the school authority. If they have further questions you may direct them to call our office.

**Diane E. Allen**

**Director, Division Non-Public Education**

**919-733-4276**