

**NORTH CAROLINA STATE BOARD OF EDUCATION  
Policy Manual**

<b>Item</b>	<b>Description</b>
<b>Policy Title</b>	Limitations on Recruiting and Undue Influence
<b>Policy Category</b>	Athletics (ATHL)
<b>Policy ID</b>	ATHL-009
<b>Policy Date</b>	07/01/04
<b>Previous Policy Dates</b>	
<b>Statutory Reference</b>	G.S. 115C-12(12); G.S. 115C-407.50; G.S. 115C-407.55; G.S. 115C-407.65
<b>Administrative Procedures Act (APA)</b>	16 NCAC 06E. 0210

**LIMITATIONS ON RECRUITING AND UNDUE INFLUENCE**

- (a) No student, coach, professional educator, or other employee of a PSU or administering organization shall subject a student to undue influence for the purpose of inducing or causing the student to transfer from one participating school to another to participate in interscholastic athletics on behalf of the receiving school.
- (b) For purposes of this Policy, “undue influence” means communication or conduct undertaken for the purpose and intent of soliciting or encouraging a student to enroll in a participating school, including the following:
- (1) Initiating or arranging communication or contact in any form, including letters, email, or phone calls, with the student or a member of the student’s family.
  - (2) Visiting or entertaining the student or a member of the student’s family.
  - (3) Providing or arranging for transportation for the student or member of the student’s family to visit a participating school or meet with anyone associated with the participating school.
  - (4) Communicating to a student or a member of the student’s family, either implicitly or explicitly, that a participating school's athletic program or sports team is superior to that of another participating school, or that it would be advantageous for the student to participate in athletics at a specific participating school. Such communication may be oral, written, or audiovisual in format.
- (c) A party alleging undue influence shall direct the initial inquiry or report to the appropriate administering organization in accordance with the procedures adopted by the administering organization. The party alleging undue influence bears the burden of proving undue influence by a preponderance of the evidence.

- (d) If the administering organization finds by a preponderance of the evidence that the accused party has engaged in undue influence, the administering organization shall impose penalties consistent with its regulations and with SBE Policy ATHL-004.