

16 NCAC 06E .0204 INTERSCHOLASTIC ATHLETICS

- (a) Public School Units (PSUs) are authorized to determine whether and to what extent students in grades 6 through 12 may participate in interscholastic athletics; provided, however, that students in grade 6 are not eligible to participate in football.
- (b) To participate in public school interscholastic athletics, a student shall meet the following requirements:
 - (1) A student who attends a school supervised by a local board of education shall only participate in the school to which the student is assigned under G.S. 115C-366. A student enrolled in a charter, regional, statewide public school, or school operated by the University of North Carolina, must meet all the enrollment criteria for that school and attend that school. If a student is over the age requirements for the school the student attends, the student may participate at the school to which the student would be assigned or attend at the next higher grade level.
 - (2) The student shall meet the age requirements at each grade level to participate. PSUs shall determine the age of participating students based on a preponderance of the evidence known to them. A student ineligible to participate at one grade level due to age shall be eligible to participate at the next higher grade level only, provided that no student shall be eligible to participate at the middle school level for a period lasting no longer than six consecutive semesters, beginning with the student's entry into grade 6, and no student shall be eligible to participate at the high school level for more than eight consecutive semesters beginning with the student's first entry into grade 9 or participation on a high school team, whichever occurs first.
 - (A) A student shall not participate on a grade 6, 7, or 8 team if the student becomes 15 years of age on or before August 31 of that school year.
 - (B) A student shall not participate on a grade 9 through 12 team if the student becomes 19 years of age on or before August 31 of that school year.
- (c) To be eligible to participate during any semester in grades 6, 7, or 8, the student shall have passed at least one less course than the number of required core courses the immediate prior semester and meet promotion standards established by the PSU, provided, a student who is promoted from grade 5 to grade 6 shall satisfy the requirement set forth in this subsection (c) to participate in the first semester of grade 6. To be eligible to compete during any semester in grades 9 through 12, the student shall have passed at least five courses (or the equivalent for non-traditional school schedules) the immediate prior semester and meet promotion standards established by the PSU, provided, a student who is promoted from grade 8 to grade 9 shall satisfy the requirement set forth in this subsection (c) to participate in the first semester of grade 9.
- (d) To be eligible to participate, the student shall receive a medical examination once every 395 days by a licensed physician, nurse practitioner, or physician assistant, subject to the provisions of G.S. 90-9, 90-18.1, and 90-18.2
- (e) The student shall not participate in interscholastic athletics after any of the following:
 - (1) graduation, except that the student may continue to participate in playoff and state championship contests in spring sports after graduation;
 - (2) signing a professional athletic contract, except that the student may continue to participate in any sport for which the student has not signed a professional contract;
 - (3) receiving remuneration as a participant in an athletic contest, except that the student may accept a gift, merchandise, trophy, or other thing of value, provided that (i) the value does

- not exceed \$250 per student per sports season; (ii) the item is totally consumable and nontransferable or labeled in a permanent manner (i.e., monogrammed or engraved); and (iii) the item is approved by the student's principal and superintendent; or
- (4) participating on an all-star team or in an all-star game that is not sanctioned by the administering organization of which the student's school is a member, provided that the student shall be ineligible only for the specific sport involved.
 - (f) Each PSU shall require the principal of a school that participates in interscholastic athletics to certify a list of eligible students for each sport.
 - (g) A PSU shall impose at least the following penalties on a student, coach, or school official who is ejected from an interscholastic athletic contest:
 - (1) for the first offense, the person shall be reprimanded and suspended from participating in the next game at that level of play (varsity or junior varsity);
 - (2) for a second offense, the person shall be placed on probation and suspended for the next two games at that level of play (varsity or junior varsity);
 - (3) for a third offense, the person shall be suspended for one calendar year; and
 - (4) a coach who is suspended shall not coach any team for any grade level during the period of suspension.
 - (5) Penalties are cumulative from sport to sport and from sport season to sports season. If no members of the school's coaching staff is present to assume an ejected coach's duties, the contest shall be terminated by a forfeit.
 - (h) PSUs may allow their schools to belong to an administering organization designated by the State Board of Education, as defined in G.S. 115C-407.50(1)
 - (i) An administering organization entering into a Memorandum of Understanding with the State Board of Education for the purpose of administering interscholastic athletics under this section must apply and enforce all of the requirements of this Rule.
 - (j) The State Board of Education may delegate to an administering organization the authority to:
 - (1) waive any student eligibility requirement contained in this Rule if it finds that the requirement fails to accomplish its purpose, or it works an undue hardship of a student has lost eligibility due to circumstances that made participation impossible, such as prolonged illness or injury;
 - (2) adopt, apply, and enforce penalty rules that establish a system of demerits that includes reprimands, probations, suspensions, forfeitures of contests, forfeitures of titles, and disqualifications;
 - (3) adopt, apply, and enforce administrative rules, as defined in G.S. 115C-407.55(5);
 - (4) adopt, apply and enforce gameplay rules, as defined in G.S. 115C-407.55(6); and
 - (5) establish and collect a membership fee of \$1 per student enrolled in a participating school.
 - (k) An administering organization shall:
 - (1) enter into a Memorandum of Understanding with the State Board of Education no later than March 15 prior to the academic year in which it is to begin administering interscholastic athletics and before each subsequent renewal of a Memorandum of Understanding;
 - (2) be audited by a reputable independent auditing firm and submit the audit to the State Board of Education no later than March 15 each year;
 - (3) broadcast the meetings of its membership and board of directors in a manner that is announced on its website and which may be viewed electronically by any member of the public;

- (4) provide to the State Board of Education within 30 days any requested organizational records, including but not limited to, financial information, annual audit reports, and any matters related to or impacting participating schools;
 - (5) enter into written agreements with PSUs that allow their eligible schools to participate in interscholastic sports, which agreements shall include an explanation of the fees to be charged, the obligations of the PSU and participating schools, penalties that may be imposed, and an explanation of the process to contest or appeal adverse decisions; and
 - (6) public the organization's existing rules.
- (l) The State Board of Education will appoint an appeals board to hear and act upon appeals from final decisions of an administering organization regarding student eligibility, penalties, fees imposed, retaliation, or discrimination. Panels of no fewer than three members of the appeals board may hear and decide matters on behalf of the board. A PSU aggrieved by a final decision of the administering organization may file an appeal with the State Board of Education's Office of General Counsel within 5 days after receipt of the administering organization's final decision. The PSU's appeal shall:
- (1) be in writing;
 - (2) include a description of the facts of the dispute;
 - (3) include any evidence submitted to the administering organization;
 - (4) present an argument explaining why the PSU believe the administering organization's final decision was not based on substantial evidence or the applicable law, policy, regulation, or Rule of the State Board of Education or administering organization.
 - (5) The administering organization must respond to the PSU's submissions within 5 days.
 - (6) No later than thirty days after the State Board of Education's receipt of the appeal, a panel of the appeals board shall review the appeal, and any response and issue its decision. The panel shall affirm the administering organization's final decision unless a majority of the panel determines that the final decision is not supported by substantial evidence or an applicable law, policy, regulation, or Rule of the State Board of Education or administering organization.
 - (7) The timeline for hearing and responding to appeals may be shortened by the appeal board panel appointed to hear the matter as necessary to make timely decisions that will impact the ability of a student or coach to participate in an athletic contest.
 - (8) A decision of a panel of the appeals board will be final.
- (m) The PSU that has jurisdiction over a school may impose penalties in addition to those imposed by an administering organization. If there is no administering organization governing a group of schools, a PSU may adopt and impose penalties for the schools under its jurisdiction.