

# Proposed Rule Changes

## 16 NCAC 06E .0200 Interscholastic Athletics





# Background (S.L. 2023-128)

- The SBE initially proposed revised rules on interscholastic athletics in September 2023.
- On October 3, 2023, the General Assembly enacted S.L. 2023-133, making further changes to state laws governing interscholastic athletics and requiring the SBE to adopt temporary rules in time for the 2024-2025 school year.
- S.L. 2023-133 requires the SBE to request a consultation on the proposed rules by January 15, 2024.



# Summary of Proposed Changes

- The proposed temporary rules are designed to satisfy the new legislative requirements and address such topics as
  - Administration of interscholastic athletics
  - Student health and safety
  - Student participation requirements
  - Amateur rules
  - Penalty rules
  - Appeals of final decisions by administering organizations
- This summary highlights changes from the rules originally proposed in September 2023.



# 16 NCAC 06E .0201 (Definitions)

- Adds additional definitions to provide clarity for other rules in section.
- Defines “aggrieved party” to identify those who may appeal the final decision of an administering organization.



## 16 NCAC 06E .0204

### (Administration of Interscholastic Athletics)

- Transfers authority to enter an MOU with an administering organization from the SBE to the Superintendent of Public Instruction.
- Adds provisions for reporting concerns regarding an administering organization to the Superintendent.
- Clarifies that authority to administer interscholastic athletics reverts to the Department of Public Instruction if no MOU is signed with an administering organization.
- Removes provisions related to appeals (moved to separate rule).



# 16 NCAC 06E .0205 (Student Healthy and Safety)

- Reinstates expired rule related to concussion safety and emergency management plans.
- Clarifies that the requirements extend to all PSUs participating in interscholastic athletics, not just LEAs.



# 16 NCAC 06E .0206 (Athletic Trainers)

- Makes minor technical amendments to existing rule on athletic trainers.
- Clarifies that the requirements extend to all PSUs participating in interscholastic athletics, not just LEAs.



# 16 NCAC 06E .0207 (Student Participation Rules)

- Restricts participation of students who receive priority enrollment in a charter school based on the school's hiring of the student's parent for fraudulent purposes.
- Adds an attendance requirement to good academic standing requirement (no more than 9 unexcused absences in current school year).
- Cross-references biological participation requirements in G.S. 115C-407.59.
- Removes amateur status restrictions (moved to separate rule).





# 16 NCAC 06E .0208 (Amateur Rules)

- Prohibits students participating in middle and high school athletics from receiving compensation in exchange for the commercial usage of their name, image, and likeness (NIL).
- Re-codifies existing amateur status restrictions from existing rules.



# 16 NCAC 06E .0209 (Penalty Rules)

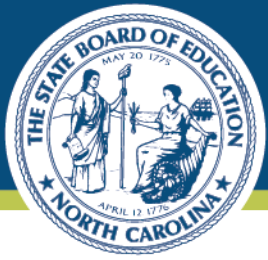
- Re-codifies existing penalty rules from existing rules.



## 16 NCAC 06E .0210

### (Limitations on Recruiting and Undue Influence)

- Prohibits PSU personnel from subjecting students to undue influence for the purpose of inducing them to transfer to another school for athletic purposes.
- Defines “undue influence.”
- Modeled on existing NCHSAA regulation.



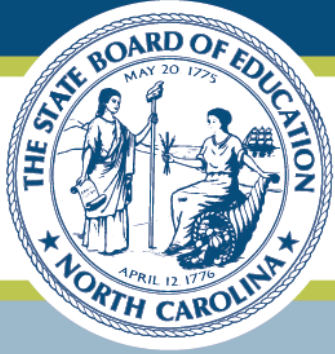
# 16 NCAC 06E .0215 (Appeals)

- Re-codifies appeals process as a separate rule.
- Transfers authority to enter appoint independent appeals board from the SBE to the Superintendent.
- Permits any aggrieved party, not just a PSU, from appealing the final decision of an administering organization.



# Proposed Timeline

<b>SBE Proposes Temporary Rules</b>	January 4, 2024
<b>Public Comment Period</b>	January 12 – February 23, 2024
<b>Public Hearing</b>	February 23, 2024
<b>SBE Adopts Temporary Rules</b>	March 7, 2024
<b>Temporary Rules Take Effect</b>	July 1, 2024



# Questions?

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