

Part 2. Oversight of Interscholastic Athletic Activities.

**§ 115C-407.55. Rules for high school interscholastic athletic activities.**

The State Board of Education shall adopt rules governing high school interscholastic athletic activities conducted by public school units that include the following:

- (1) Student participation rules. – These rules shall govern student eligibility to participate in interscholastic athletic activities. The adoption of these rules shall not be delegated to an administering organization, and student participation rules shall not be altered or expanded by an administering organization. The rules shall include, at a minimum, the following:
  - a. Academic standards.
  - b. Enrollment and transfer requirements, including the following:
    1. A student who is not domiciled in a local school administrative unit but enrolls in that unit pursuant to G.S. 115C-366(d) shall not be eligible to participate in interscholastic athletic activities in that unit if the student's enrollment in that unit is solely for athletic participation purposes. A student determined to be ineligible under this sub-sub-subdivision shall be ineligible to participate in postseason play for one year following discovery of the violation.
    2. A student who receives priority enrollment as the child of a full-time employee of a charter school pursuant to G.S. 115C-218.45(f)(3) shall not be eligible to participate in interscholastic athletics for that charter school if the Office of Charter Schools determines that the parent's employment was a fraudulent basis for the student's priority enrollment. A student determined to be ineligible under this sub-sub-subdivision shall be ineligible to participate in postseason play for one year following discovery of the violation.
  - c. Attendance requirements.
  - d. Medical eligibility requirements.
  - e. Biological participation requirements as required by G.S. 115C-407.59.
  - f. Recruiting limitations.
  - g. Hardship exceptions that may be granted by the independent appeals board established by subdivision (4) of this section.
  - h. Student amateur status requirements, including rules related to use of a student's name, image, and likeness.
- (2) Student health and safety rules. – These rules shall govern requirements to ensure student health and safety during participation in interscholastic athletic activities, including rules related to concussions and emergency action plans as required by G.S. 115C-407.57 and G.S. 115C-407.58. The adoption of these rules shall not be delegated to an administering organization and student health and safety rules shall not be altered or expanded by an administering organization.
- (3) Penalty rules. – These rules shall establish a system of demerits for infractions of student participation rules and gameplay rules which may result in reprimands, probations, suspensions, forfeitures of contests, forfeitures of titles, and disqualifications but shall not result in monetary penalties of any

- kind. The State Board may by rule delegate the authority to establish all or a portion of the penalty rules to an administering organization.
- (4) Appeals rules. – These rules shall establish an appeals process that provides due process to students, parents, and participating schools for enforcement of rules through hearings held before an independent appeals board. The adoption of these rules may not be delegated to an administering organization and appeals rules shall not be altered or expanded by an administering organization. The rules shall require the following:
    - a. The Superintendent of Public Instruction shall appoint an independent appeals board.
    - b. Notice of the infraction and the appeals process shall be provided to the party that receives the penalty.
    - c. An opportunity to be heard before the independent appeals board shall be given to the entity that receives the penalty.
    - d. A student and that student's parent shall be allowed to appeal a penalty resulting from the application of any rule that restricts an individual student from participating in a season, game, or series of games, and shall be provided a written copy of the rule that is the basis for the penalty.
    - e. The independent appeals board shall have authority to grant hardship exceptions in accordance with rules established under subdivision (1) of this section.
  - (5) Administrative rules. – These rules shall govern classifications of schools into divisions and conferences, administration of games, and requirements for coaching, officiating, sportsmanship, and scheduling of seasons. The State Board may by rule delegate the authority to establish all or a portion of the administrative rules to an administering organization.
  - (6) Gameplay rules. – These rules shall be adopted in accordance with the requirements of the governing organization for each sport, including the requirements of the National Federation of State High School Associations. The State Board may by rule delegate the authority to establish all or a portion of the gameplay rules to an administering organization.
  - (7) Fees. – These rules shall establish the fees and other amounts that may be charged to a participating school for participation in interscholastic athletic activities. The adoption of these rules shall not be delegated to an administering organization and fees shall not be altered or expanded by an administering organization.
  - (8) Administering organization rules. – These rules shall require that to be designated as an administering organization, a nonprofit must enter into and remain compliant with a memorandum of understanding with the Superintendent of Public Instruction consistent with the requirements of G.S. 115C-407.61. The adoption of these rules shall not be delegated to an administering organization and administering organization rules shall not be altered or expanded by an administering organization. The rules shall also require the following:
    - a. The State Board may, by majority vote, invalidate any rule or regulation adopted by the administering organization.
    - b. The administering organization be audited annually by a reputable independent auditing firm, engage in open meetings, and provide the State Board access to records of the administering organization,

including financial information, annual audit reports, and any matters related to or impacting participating schools, and to any audits of associated entities. An independent auditing firm is a firm which performs no other tasks or functions for the administering organization besides the annual audit.

- c. The administering organization shall enter into written agreements with each participating school.
  - d. The memorandum of understanding shall incorporate by reference any subsequent changes to rules or statutes made after the parties enter into the memorandum.
- (9) Reporting rules. – These rules shall establish a process for reporting issues or concerns related to the administration of interscholastic athletic activities, including intimidation or harassment of the participating school or its employees or students by an administering organization. The adoption of these rules may not be delegated to an administering organization and reporting rules shall not be altered or expanded by an administering organization. (2021-184, s. 1(a); 2023-133, s. 17(a).)