

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE PRINCIPAL CLERK

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HOUSE DRH80050-MK-32A (01/31)

Short Title: Home Schoolers Participate in School Sports. (Public)

Sponsors: Representatives McElraft, Cleveland, Ford, and Brody (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PERMIT HOME SCHOOLED STUDENTS IN CERTAIN LOCAL SCHOOL
3 ADMINISTRATIVE UNITS TO PARTICIPATE IN INTERSCHOLASTIC ATHLETICS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 115C-12(23) reads as rewritten:

6 "§ 115C-12. Powers and duties of the Board generally.

7 The general supervision and administration of the free public school system shall be vested
8 in the State Board of Education. The State Board of Education shall establish policy for the
9 system of free public schools, subject to laws enacted by the General Assembly. The powers
10 and duties of the State Board of Education are defined as follows:

11 ...

12 (23) Power to Adopt Eligibility Rules for Interscholastic Athletic Competition. –
13 The State Board of Education shall adopt rules governing interscholastic
14 athletic activities conducted by local boards of education, including
15 eligibility for student participation. Students attending home schools shall be
16 permitted to participate in interscholastic athletic activities in accordance
17 with the requirements of G.S. 115C-565.1. With regard to middle schools
18 and high schools, the rules shall provide for the following:

19 a. All coaches, school nurses, athletic directors, first responders,
20 volunteers, students who participate in interscholastic athletic
21 activities, and the parents of those students shall receive, on an
22 annual basis, a concussion and head injury information sheet. School
23 employees, first responders, volunteers, and students must sign the
24 sheet and return it to the coach before they can participate in
25 interscholastic athletic activities, including tryouts, practices, or
26 competition. Parents must sign the sheet and return it to the coach
27 before their children can participate in any such interscholastic
28 athletic activities. The signed sheets shall be maintained in
29 accordance with sub-subdivision d. of this subdivision.

30 For the purpose of this subdivision, a concussion is a traumatic
31 brain injury caused by a direct or indirect impact to the head that
32 results in disruption of normal brain function, which may or may not
33 result in loss of consciousness.

34 b. If a student participating in an interscholastic athletic activity
35 exhibits signs or symptoms consistent with concussion, the student
36 shall be removed from the activity at that time and shall not be



1 allowed to return to play or practice that day. The student shall not
 2 return to play or practice on a subsequent day until the student is
 3 evaluated by and receives written clearance for such participation
 4 from (i) a physician licensed under Article 1 of Chapter 90 of the
 5 General Statutes with training in concussion management, (ii) a
 6 neuropsychologist licensed under Article 18A of Chapter 90 of the
 7 General Statutes with training in concussion management and
 8 working in consultation with a physician licensed under Article 1 of
 9 Chapter 90 of the General Statutes, (iii) an athletic trainer licensed
 10 under Article 34 of Chapter 90 of the General Statutes, (iv) a
 11 physician assistant, consistent with the limitations of G.S. 90-18.1, or
 12 (v) a nurse practitioner, consistent with the limitations of
 13 G.S. 90-18.2.

14 c. Each school shall develop a venue specific emergency action plan to
 15 deal with serious injuries and acute medical conditions in which the
 16 condition of the patient may deteriorate rapidly. The plan shall
 17 include a delineation of roles, methods of communication, available
 18 emergency equipment, and access to and plan for emergency
 19 transport. This plan must be (i) in writing, (ii) reviewed by an athletic
 20 trainer licensed in North Carolina, (iii) approved by the principal of
 21 the school, (iv) distributed to all appropriate personnel, (v) posted
 22 conspicuously at all venues, and (vi) reviewed and rehearsed
 23 annually by all licensed athletic trainers, first responders, coaches,
 24 school nurses, athletic directors, and volunteers for interscholastic
 25 athletic activities.

26 d. Each school shall maintain complete and accurate records of its
 27 compliance with the requirements of this subdivision pertaining to
 28 head injuries.

29 The State Board of Education may authorize a designated organization to
 30 apply and enforce the Board's rules governing participation in interscholastic
 31 athletic activities at the high school level."

32 **SECTION 2.** G.S. 115C-47(4) reads as rewritten:

33 **"§ 115C-47. Powers and duties generally.**

34 In addition to the powers and duties designated in G.S. 115C-36, local boards of education
 35 shall have the power or duty:

- 36 ...
- 37 (4) To Regulate Extracurricular Activities. – Local boards of education shall
 38 make all rules and regulations necessary for the conducting of
 39 extracurricular activities in the schools under their supervision, including a
 40 program of athletics, where desired, without assuming liability therefore;
 41 provided, that all interscholastic athletic activities shall be conducted in
 42 accordance with rules and regulations prescribed by the State Board of
 43 ~~Education.~~ Education, and that students attending home schools shall be
 44 permitted to participate in interscholastic athletic activities in accordance
 45 with the requirements of G.S. 115C-565.1."

46 **SECTION 3.** Article 39 of Chapter 115C of the General Statutes is amended by
 47 adding a new section to read:

48 **"§ 115C-565.1. Participation of home schooled students in interscholastic athletics.**

49 (a) Eligibility. – To be eligible to participate in interscholastic public school athletics, a
 50 home schooled student shall meet the residency criteria of G.S. 115C-366 and shall participate

1 only at the school to which the student would be assigned by the local board of education if
2 enrolled in public school.

3 (b) Compliance With Rules. – A home schooled student shall comply with all rules and
4 regulations established by the local board of education and the State Board of Education,
5 except that a home schooled student shall not be required to meet school enrollment
6 requirements. The home schooled student shall meet the same standards of acceptance,
7 behavior, and performance as required of enrolled public school students participating in
8 interscholastic athletics.

9 (c) Academic Progress. –

10 (1) Academic eligibility required for participation. – A student who has not met
11 established academic eligibility requirements for athletic participation shall
12 be ineligible to participate in interscholastic athletics as a home schooled
13 student until academic eligibility is established.

14 (2) Assessment of academic progress. – A home schooled student shall
15 demonstrate any required academic eligibility in all subjects taken in the
16 home schooled program by a method of evaluation agreed upon by the
17 parent and the school principal.

18 (d) Registration. – A home schooled student shall register with the school the student's
19 intent to participate in interscholastic athletics before the beginning date of the season for the
20 activity in which the student wishes to participate.

21 (e) Fees and Insurance. – A home schooled student shall be required to pay any fees for
22 participation required of enrolled public school students and shall be required to purchase any
23 supplemental insurance required of enrolled public school students or as reasonably established
24 for home school participation.

25 (f) Principal Discretion. – The principal of the school at which a home schooled student
26 would like to participate in interscholastic athletics shall make the final determination on
27 whether to allow that student to participate. The student may not appeal the principal's final
28 determination."

29 **SECTION 4.** This act applies only to home schooled students residing in counties
30 with a population of 200,000 or less.

31 **SECTION 5.** This act is effective when it becomes law and applies beginning with
32 the 2013-2014 school year.