

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE DRS15180-MK-88 (03/15)

Short Title: Access to Sports/Extracurr. for All Students. (Public)

Sponsors: Senator Brock (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PERMIT STUDENTS WHO ATTEND A PUBLIC SCHOOL, PRIVATE
3 SCHOOL, HOME SCHOOL, OR CHARTER SCHOOL WITHOUT AN
4 INTERSCHOLASTIC ATHLETICS PROGRAM IN A GIVEN SPORT OR
5 PARTICULAR EXTRACURRICULAR ACTIVITY TO PARTICIPATE IN THAT
6 ACTIVITY AT A PUBLIC HIGH SCHOOL.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 115C-12 is amended by adding a new subdivision to read:
9 **"§ 115C-12. Powers and duties of the Board generally.**

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

14 ...

15 (23a) Duty to Provide for All Students to Participate in Interscholastic Athletics
16 Programs. – The State Board of Education shall adopt rules governing high
17 school students who attend schools that do not have interscholastic athletics
18 programs in any given sport as follows:

19 a. A public high school student may participate in the sport at the high
20 school closest to the student's school that has a program in that sport,
21 subject to the terms and conditions applicable to a regularly enrolled
22 member of that school's student body.

23 b. A private school, home school, or charter school student may
24 participate in the sport at the base public high school for the student's
25 address, subject to the terms and conditions applicable to a regularly
26 enrolled member of that school's student body. If the student's base
27 school does not have a program in that sport, the student may
28 participate in the sport at the public high school closest to the
29 student's base school that has a program in that sport, subject to the
30 terms and conditions applicable to a regularly enrolled member of
31 that school's student body.

32"

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

34 **"§ 115C-47. Powers and duties generally.**

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



1 ...
2 (4) To Regulate Extracurricular Activities. – Local boards of education shall
3 make all rules and regulations necessary for the conducting of
4 extracurricular activities in the schools under their supervision, including a
5 program of athletics, where desired, without assuming liability therefor;
6 provided, that all interscholastic athletic activities shall be conducted in
7 accordance with rules and regulations prescribed by the State Board of
8 Education. The local board of education's rules and regulations shall include
9 that a high school student who attends a charter school, home school, or
10 private school that does not offer a particular extracurricular activity shall be
11 permitted to participate in the extracurricular activity at the base public high
12 school for the student's address or, if the base school does not offer the
13 activity, at the public high school offering that activity closest to the
14 student's base school. A public high school student shall be permitted to
15 participate in an extracurricular activity not offered at the student's school at
16 a public high school offering the activity that is closest to the student's
17 school. The terms and conditions applicable to a student regularly enrolled at
18 the public high school shall also apply to students who participate in an
19 extracurricular activity at the school as provided by this subdivision."

20 **SECTION 3.** This act is effective when it becomes law and applies beginning with
21 the 2013-2014 school year.