

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013**

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HOUSE BILL 228

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

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

For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Education, if favorable, Finance.

March 6, 2013

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

The General Assembly of North Carolina enacts:

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

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

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

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

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

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

b. If a student participating in an interscholastic athletic activity exhibits signs or symptoms consistent with concussion, the student



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

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

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

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

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:

37 ...

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

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

49 **"§ 115C-565.1. Participation of home schooled students in interscholastic athletics.**

50 (a) Eligibility. – To be eligible to participate in interscholastic public school athletics, a
51 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.