

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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SENATE BILL 569

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

Sponsors: Senators Brock (Primary Sponsor); Barringer, Hise, Jackson, and Rabin.

Referred to: Rules and Operations of the Senate.

April 2, 2013

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.