

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023**

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SENATE BILL 653

Short Title: Access to Sports and Extracurriculars for All. (Public)

Sponsors: Senators Hise, Ford, and Galey (Primary Sponsors).

Referred to: Rules and Operations of the Senate

April 6, 2023

A BILL TO BE ENTITLED

AN ACT TO PERMIT STUDENTS WHO ATTEND A PUBLIC SCHOOL, PRIVATE SCHOOL, OR HOME SCHOOL WITHOUT AN INTERSCHOLASTIC ATHLETICS PROGRAM IN A GIVEN SPORT OR PARTICULAR EXTRACURRICULAR ACTIVITY TO PARTICIPATE IN THAT ACTIVITY AT A PUBLIC HIGH SCHOOL.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 115C-407.55(1) reads as rewritten:

"(1) Student participation rules. – These rules shall govern student eligibility to participate in interscholastic athletic activities and shall include, at a minimum, academic standards, enrollment and transfer requirements, attendance requirements, medical eligibility requirements, recruiting limitations, and hardship exceptions. The student eligibility rules shall also contain the following:

a. A public high school student may participate in the sport at the public high school closest to the student's school that has a program in that sport, subject to the terms and conditions applicable to a regularly enrolled member of that high school's student body, except that the high school may charge a reasonable fee for participation to a student who is not enrolled in the high school as established by the local board of education in accordance with G.S. 115C-47(6).

b. A private school or home school student may participate in the sport at the base public high school for the student's address, subject to the terms and conditions applicable to a regularly enrolled member of that high school's student body. If the student's base public high school does not have a program in that sport, the student may participate in the sport at the public high school closest to the student's base public high school that has a program in that sport, subject to the terms and conditions applicable to a regularly enrolled member of that high school's student body. In any of the circumstances under this sub-subdivision, the public high school may charge a reasonable fee for participation to a student who is not enrolled in the high school as established by the local board of education in accordance with G.S. 115C-47(6)."

SECTION 2. G.S. 115C-47 reads as rewritten:

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



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

3 ...

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

25 ...

26 (6) To Regulate Fees, Charges and Solicitations. – Local boards of education shall
27 adopt rules and regulations governing solicitations of, sales to, and
28 fund-raising activities conducted by, the students and faculty members in
29 schools under their jurisdiction, and no fees, charges, or costs shall be
30 collected from students and school personnel without approval of the board of
31 education as recorded in the minutes of said board; provided, this subdivision
32 shall not apply to such textbooks fees as are determined and established by the
33 State Board of Education. The local board of education shall publish a
34 schedule of fees, charges, and solicitations approved by the local ~~board~~ board,
35 including fees established to allow students not enrolled in a particular public
36 high school to participate in sports and other extracurricular activities, on the
37 local school administrative unit's Web site by October 15 of each school year
38 and, if the schedule is subsequently revised, within 30 days following the
39 revision.

40"

41 **SECTION 3.** This act is effective when it becomes law and applies beginning with
42 the 2023-2024 school year.