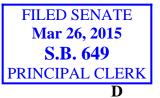
GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2015



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SENATE DRS45309-MK-123A (03/12)

Short Title:	Access to Sports/Extracurr. for All Students.	(Public)
Sponsors:	Senators Sanderson, Brock, and Hise (Primary Sponsors).	
Referred to:		

1			A BILL TO BE ENTITLED		
2	AN ACT TO P	ERMIT	STUDENTS WHO ATTEND A PUBLIC SCHOOL, PRIVATE		
3	SCHOOL, O	R HON	ME SCHOOL WITHOUT AN INTERSCHOLASTIC ATHLETICS		
4	PROGRAM	IN A	GIVEN SPORT OR PARTICULAR EXTRACURRICULAR		
5	ACTIVITY T	O PAR	TICIPATE IN THAT ACTIVITY AT A PUBLIC HIGH SCHOOL.		
6	The General Asse	embly o	f North Carolina enacts:		
7	SECT	ION 1.	G.S. 115C-12 is amended by adding a new subdivision to read:		
8	"§ 115C-12. Pow	vers an	d duties of the Board generally.		
9	The general s	upervis	ion and administration of the free public school system shall be vested		
10	in the State Board of Education. The State Board of Education shall establish policy for the				
11	system of free public schools, subject to laws enacted by the General Assembly. The powers				
12	and duties of the State Board of Education are defined as follows:				
13					
14	<u>(23a)</u>	Permi	t Certain Students to Participate in Interscholastic Athletics Programs.		
15			State Board of Education shall adopt rules governing high school		
16		<u>studen</u>	ts who attend schools that do not have interscholastic athletics		
17		progra	ms in any given sport as follows:		
18		<u>a.</u>	A public high school student may participate in the sport at the high		
19			school closest to the student's school that has a program in that sport,		
20			subject to the terms and conditions applicable to a regularly enrolled		
21			member of that school's student body, except that the public high		
22			school may charge a reasonable fee for participation to a student who		
23			is not enrolled in the school as established by the local board of		
24			education in accordance with G.S. 115C-47(6).		
25		<u>b.</u>	A private school or home school student may participate in the sport		
26			at the base public high school for the student's address, subject to the		
27			terms and conditions applicable to a regularly enrolled member of		
28			that school's student body. If the student's base school does not have		
29			a program in that sport, the student may participate in the sport at the		
30			public high school closest to the student's base school that has a		
31			program in that sport, subject to the terms and conditions applicable		
32			to a regularly enrolled member of that school's student body. In any		
33			of the circumstances under this sub-subdivision, the public high		
34			school may charge a reasonable fee for participation to a student who		
35			is not enrolled in the school as established by the local board of		
36			education in accordance with G.S. 115C-47(6).		



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2	SECTION 2. G.S. 115C-47 reads as rewritten:						
3	"§ 115C-47. Powers and duties generally.						
1	In addition to the powers and duties designated in G.S. 115C-36, local boards of education						
5	shall have the po						
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	(4)	To Regulate Extracurricular Activities. – Local boards of education shall					
		make all rules and regulations necessary for the conducting of					
		extracurricular activities in the schools under their supervision, including a					
		program of athletics, where desired, without assuming liability therefor;					
		provided, that all interscholastic athletic activities shall be conducted in					
		accordance with rules and regulations prescribed by the State Board of					
		Education. The local board of education's rules and regulations shall include					
		that a public high school student who attends a home school or private					
		school that does not offer a particular extracurricular activity shall be					
		permitted to participate in the extracurricular activity at the base public high					
		school for the student's address or, if the base school does not offer the					
		activity, at the public high school offering that activity closest to the					
		student's base school. A public high school student shall be permitted to					
		participate in an extracurricular activity not offered at the student's school at					
		a public high school offering the activity that is closest to the student's					
		school. The terms and conditions applicable to a student regularly enrolled at					
		the public high school shall also apply to students who participate in an extracurricular activity at the school as provided by this subdivision, except					
		that the public high school may charge a reasonable fee for participation to a					
		student who is not enrolled in the school as established by the local board of					
		education in accordance with subdivision (6) of this section.					
	(6)	To Regulate Fees, Charges and Solicitations. – Local boards of education					
		shall adopt rules and regulations governing solicitations of, sales to, and					
		fund-raising activities conducted by, the students and faculty members in					
		schools under their jurisdiction, and no fees, charges, or costs shall be					
		collected from students and school personnel without approval of the board					
		of education as recorded in the minutes of said board; provided, this					
		subdivision shall not apply to such textbooks fees as are determined and					
		established by the State Board of Education. All schedules of fees, charges					
		and solicitations approved by local boards of education education, including					
		fees established to allow students not enrolled in a particular public high					
		school to participate in sports and other extracurricular activities, shall be					
	"	reported to the Superintendent of Public Instruction.					
		FION 2 This set is effective where it has more here in the initial set					
	SECTION 3. This act is effective when it becomes law and applies beginning with the 2015 2016 school warr						
	the 2015-2016 school year.						