



Proposed Rule Changes

16 NCAC 06E .0200 Interscholastic Athletics





Background

- S.L. 2023-133, requires the SBE to adopt new temporary rules for interscholastic athletics in time for the 2024-2025 school year and to consult with GovOps prior to adoption.
- The proposed temporary rules are designed to satisfy the new legislative requirements and address such topics as
 - Administration of interscholastic athletics
 - Student health and safety
 - Student participation requirements
 - Amateur rules
 - Penalty rules
 - Appeals of final decisions by administering organizations



Proposed Timeline

SBE Proposed Temporary Rules	January 4, 2024
Public Comment Period	January 12 – February 23, 2024
Public Hearing	February 23, 2024
SBE Adopts Temporary Rules	March 7, 2024
Temporary Rules Take Effect	July 1, 2024



CHANGES FROM PROPOSED RULES



16 NCAC 06E .0201 (Definitions)

- Adds definition of “bona fide” purpose to mean “not primarily related to participation in interscholastic athletics.”
- Adds definitions for high school, middle school, and junior high school.
- Adds definition for “student” to mean any person enrolled in Grades 6-12.



16 NCAC 06E .0204

(Administration of Interscholastic Athletics)

- Specifies that public school units are responsible for applying and enforcing SBE rules on interscholastic athletics at the middle and junior high school level, subject to general oversight by the Superintendent (consistent with current practice).



16 NCAC 06E .0207 (Student Participation Rules)

- Changes attendance rule to require attendance during at least 85 percent of total instructional days in the prior semester (permits ~ 13 absences, consistent with old NCHSAA rule).
- Clarifies that “on track” to advance to next grade level or graduate means “making sufficient progress toward meeting the academic and curricular requirements of the PSU and SBE.”



16 NCAC 06E .0207 (Student Participation Rules)

- Allows classes passed during the summer to count toward passage rate for prior spring semester.
- Allows that students who meet the current SBE academic eligibility requirements after the Spring 2024 semester will be eligible for athletics during the Fall 2024 semester.



16 NCAC 06E .0209 (Penalty Rules)

- Removes reference to “level of play (varsity or junior varsity)” in penalties imposing a 1- or 2-game suspension to incorporate middle and junior high schools.



16 NCAC 06E .0210

(Limitations on Recruiting and Undue Influence)

- Removes passive voice in Paragraph (a) and clarifies who is subject to the rule by specifically prohibiting certain parties (students, coaches, educators, PSU employees, administering organization employees) from exercising undue influence.



16 NCAC 06E .0215 (Appeals)

- Clarifies the scope of what can be appealed to the appeals board (essentially any decision of an administering organization related to enforcement of SBE rules).
- Gives the Superintendent or her designee authority to stay a decision of the administering organization pending review by the appeals board.



Questions?

Ryan Collins

Assistant General Counsel

ryan.collins@dpi.nc.gov

