(a) Definitions:
  (1)  "Administering organization" is defined in G.S. 115C-407.50(1).
  (2)  "Participating school" is defined in G.S. 115C-407.50(7).
  (3)  "Public school unit" (PSU) is defined in G.S. 115C-5(7a).

(b) PSUs are authorized to determine whether and to what extent students in grades 6 through 12 may participate in interscholastic athletics, provided students in grade 6 are not eligible to participate in tackle football. This Rule shall not apply to charter school athletic programs in kindergarten through grade 8.

(c) To participate in public school interscholastic athletics, a student shall meet the following requirements:
  (1) A student who attends a school supervised by a local board of education shall only participate in the school to which the student is assigned under G.S. 115C-366. A student enrolled in a charter, regional, statewide public school, or school operated by the University of North Carolina, shall meet all the enrollment criteria for that school and attend that school. If a student is over the age requirements for the school the student attends, the student may participate at the school to which the student would be assigned or attend at the next higher grade level.
  (2) A student shall meet the age requirements at each grade level to participate. PSUs shall determine the age of participating students based on a preponderance of the evidence known to them. A student ineligible to participate at one grade level due to age shall be eligible to participate at the next higher grade level only, provided no student shall be eligible to participate at the middle school level for a period lasting longer than six consecutive semesters, beginning with the student's entry into grade 6, and no student shall be eligible to participate at the high school level for more than eight consecutive semesters, beginning with the student's first entry into grade 9 or participation on a high school team, whichever occurs first.
    (A) A student shall not participate on a grade 6, 7, or 8 team if the student becomes 15 years of age on or before August 31 of that school year.
    (B) A student shall not participate on a grade 9 through 12 team if the student becomes 19 years of age on or before August 31 of that school year.

(d) To be eligible to participate during any semester in grades 6, 7, or 8, the student shall have passed at least one less course than the number of required core courses the prior semester and meet promotion standards established by the PSU, provided a student who is promoted from grade 5 to grade 6 shall be deemed to have satisfied the requirement set forth in this Paragraph to participate in the first semester of grade 6. To be eligible to compete during any semester in grades 9 through 12, the student shall have passed at least five courses (or the equivalent for non-traditional school schedules) the prior semester and meet promotion standards established by the PSU, provided a student who is promoted from grade 8 to grade 9 shall be deemed to have satisfied the requirement set forth in this Paragraph to participate in the first semester of grade 9.

(e) To be eligible to participate, a student shall receive a medical examination every 395 days by a licensed physician, nurse practitioner, or physician assistant, subject to the provisions of G.S. 90-9.1, G.S. 90-9.2, G.S. 90-9.3, G.S. 90-18.1, and G.S. 90-18.2.

(f) A student shall not participate in interscholastic athletics after any of the following:
  (1) graduation, except that the student may continue to participate in playoff and state championship contests in spring sports after graduation;
  (2) signing a professional athletic contract, except that the student may continue to participate in any sport for which the student has not signed a professional contract;
  (3) receiving remuneration as a participant in an athletic contest, except that the student may accept a gift, merchandise, trophy, or other thing of value, provided:
    (A) the value does not exceed two hundred fifty dollars ($250.00) per student per sports season;
    (B) the item is totally consumable and nontransferable, or labeled in a permanent manner, for example, monogrammed or engraved items; and
    (C) the item is approved by the student's principal and superintendent; or
  (4) participating on an all-star team or in an all-star game that is not sanctioned by the administering organization of which the student's school is a member, provided the student shall be ineligible only for the specific sport involved.
(g) Each PSU shall require the principal of a school that participates in interscholastic athletics to sign and date a list of eligible students for each sport. The PSU shall maintain copy of the most current list in the principal's office and the office of the superintendent.

(h) A PSU shall impose at least the following penalties on a student, coach, or school official in grades 6 through 12 who is ejected from an interscholastic athletic contest:

1. for the first offense, the person shall be reprimanded and suspended from participating in the next game at that level of play (varsity or junior varsity);
2. for a second offense, the person shall be placed on probation and suspended from participating in the next two games at that level of play (varsity or junior varsity);
3. for a third offense, the person shall be suspended for one calendar year; and
4. a coach who is suspended shall not coach any team for any grade level during the period of suspension.

Penalties are cumulative from sport to sport and from sport season to sport season. If no member of the school's coaching staff is present to assume an ejected coach's duties, the contest shall be terminated by a forfeit.

(i) PSUs may allow their schools to belong to an administering organization designated by the State Board of Education.

(j) An administering organization that has entered into a memorandum of understanding with the State Board of Education for the purpose of administering interscholastic athletics under this Rule shall apply and enforce all of the requirements of this Rule.

(k) The State Board of Education shall delegate to an administering organization its authority over participating schools to:

1. waive any student eligibility requirement contained in this Rule, if it finds in a particular case that the requirement fails to promote academic progress, health, safety, and fair play, or it works an undue hardship on a student who has lost eligibility due to circumstances that made participation impossible such as prolonged illness or injury or if a waiver is necessary to reasonably accommodate a student's disability, as required under the Americans with Disabilities Act, U.S.C. 1201 et seq.;
2. adopt, apply, and enforce penalty rules as defined in G.S. 115C-407.55(3) that establish a system of demerits that includes reprimands, probations, suspensions, forfeitures of contests, forfeitures of titles, and disqualifications;
3. adopt, apply, and enforce administrative rules, as defined in G.S. 115C-407.55(5);
4. adopt, apply, and enforce gameplay rules, as defined in G.S. 115C-407.55(6); and
5. establish and collect from all its members a uniform membership fee of either:
   (A) one thousand dollars ($1,000) for each participating school, or
   (B) one dollar ($1.00) for each student enrolled in a participating school.

(l) An administering organization shall:

1. enter into a memorandum of understanding with the State Board of Education no later than March 15 prior to the academic year in which it is to begin administering interscholastic athletics and no later than the March 15 before the expiration of an existing memorandum of understanding;
2. submit an audit report signed by an independent certified public accountant or accounting firm in good standing with the North Carolina State Board of Certified Public Accountant Examiners to the State Board of Education no later than March 15 each year;
3. broadcast the meetings of its membership and board of directors in a manner that is announced on its website and which may be viewed electronically by any member of the public;
4. provide to the State Board of Education within 30 days any requested organizational records, such as, financial information, annual audit reports, and any matters related to or impacting participating schools;
5. enter into written agreements with PSUs that allow their eligible schools to participate in interscholastic sports, which agreements shall include an explanation of the fees to be charged, the obligations of the PSU and participating schools, penalties for the violation of this Rule at the high school level that may be imposed, and an explanation of the process to contest or appeal adverse decisions; and
6. publish the organization’s rules through a link on the home page of its website.

(m) The State Board of Education will appoint an appeals board to hear and act upon appeals from final decisions of an administering organization, or from the Department of Public Instruction if necessary pursuant to G.S. 115C-407.60(b), regarding student eligibility, penalties, fees imposed, retaliation, or discrimination. Panels of no fewer
than three members of the appeals board may hear and decide matters on behalf of the board. A PSU aggrieved by a
final decision of the administering organization may file an appeal with the State Board of Education's Office of
General Counsel within five days after receipt of the administering organization's final decision.
The final decision shall be mailed to the Superintendent or board of trustees of the PSU.

(1) The administering organization's final decision shall contain:
(A) findings of fact;
(B) conclusions of law, including citation to any rules related to the decision;
(C) a description of any penalties; and
(D) a statement that the PSU may file a notice of appeal within five days of receipt of the
administering organization's decision by mailing the notice to the State Board of
Education's Office of General Counsel, 301 S. Wilmington Street, Raleigh, N.C. 27601,
and emailing a copy of the notice of appeal to Office of for the State Board of
Education.

(2) The PSU's appeal shall:
(A) be in writing;
(B) include a description of the facts of the dispute;
(C) include any evidence submitted to the administering organization; and
(D) present an argument explaining why the PSU believes the administering organization's
final decision was not based on substantial evidence as defined in G.S. 150B-2(8c) or is
affected by an error of law.

(3) The administering organization may file a response to the PSU's submissions within five days. The
panel may shorten the time for filing the administering organization's response if the decision
affects a student's or coach's eligibility to participate in an intervening athletic contest.

(4) All documents filed in the appeal shall be simultaneously served on all parties in the manner
prescribed in G.S. 1A-1, Rule 5 of the North Carolina Rules of Civil Procedure.

(5) Any hearing shall be recorded.

(6) No later than 30 days after the State Board of Education's receipt of the appeal, a panel of the
appeals board shall issue its decision. The panel shall affirm the administering organization's final
decision unless a majority of the panel determines that the final decision is not supported by
substantial evidence or is affected by an error of law.

(7) The panel's decision shall be final.

(n) The PSU that has jurisdiction over a school may impose penalties in addition to those required by an
administering organization.

History Note: Authority G.S. 115C-12(12); 115C-12(23); 115C-47(4); 115C-407.50, 115C-407.55; 115C-
407.60; 115C-407.65; 116-235(b);
Emergency Adoption Eff. August 20, 2019;
Eff. March 1, 2021;
Temporary Amendment Eff. July 1, 2022;