

16 NCAC 06E .0204 ADMINISTRATION OF INTERSCHOLASTIC ATHLETICS

(a) The governing body of a PSU may allow high schools under its jurisdiction to belong to an administering organization designated by the Superintendent of Public Instruction.

(b) An administering organization that has entered into a memorandum of understanding with the Superintendent for the purpose of administering interscholastic athletics under this Section shall apply and enforce all of the requirements of this Section. An administering organization shall provide training and resources to ensure that all students, parents, and PSU personnel involved in the administration of interscholastic athletics understand and comply with the provisions of this Section.

(c) If the Superintendent enters a memorandum of understanding with one or more administering organizations consistent with G.S. 115C-407.61, the State Board of Education shall delegate to the administering organization(s) its authority over participating schools that are members of the administering organization to:

- (1) Apply and enforce student participation rules, as established in Rule .0207 of this Section.
- (2) Waive any student participation rule as applied to a specific student, in accordance with 16 NCAC 06E .0207(k).
- (3) Apply and enforce student health and safety requirements, as established in Rule .0205 of this Section.
- (4) 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, consistent with Rule .0209 of this Section.
- (5) Adopt, apply, and enforce administrative rules, as defined in G.S. 115C-407.55(5).
- (6) Adopt, apply, and enforce gameplay rules, as defined in G.S. 115C-407.55(6).
- (7) 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.

(d) An administering organization shall:

- (1) Enter into a memorandum of understanding, consistent with the requirements of G.S. 115C-407.55(8) and 115C-407.61, with the Superintendent no later than March 15 prior to the start of the school year in which it is to begin administering interscholastic athletics and no later than 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, which is in good standing with the North Carolina State Board of Certified Public Accountant Examiners and performs no other tasks or functions for the administering organization besides the annual audit, 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 athletics, 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 Section that may be imposed, and an explanation of the process to file an appeal pursuant to Rule .0215 of this Section; and
- (6) Publish the organization's rules through a link on the home page of its website.

(e) In the event that the Superintendent is unable to enter a memorandum of understanding with one or more administering organizations in accordance with this Rule, the SBE shall delegate all authority and responsibility provided to an administering organization by this Section to the Superintendent.

(f) A PSU, participating school, PSU employee, or student seeking to report allegations of intimidation or harassment by an administering organization shall file a report with the Superintendent. The report shall be in writing and include a detailed description of the factual basis for the allegations.

(g) The Superintendent shall be responsible for general oversight of interscholastic athletic activities at participating middle and junior high schools. The local superintendent or his or her authorized designees shall apply and enforce the requirements of this Section for participating middle and junior high schools under the jurisdiction of a PSU. The local superintendent or his or her authorized designee may also waive any student participation rule as applied to a specific student enrolled at a middle or junior high school under the jurisdiction of the PSU, in accordance with Rule .0207 of this Section.

(h) Any person or PSU seeking to inquire about or report a violation of any rule enforced by a rule administrator shall direct the initial inquiry or report to the appropriate rule administrator in accordance with the policies and procedures adopted by the rule administrator.

(i) For any question or dispute involving the enforcement of any interscholastic athletics rule provided by this Section, other than a ruling by a referee or official enforcing gameplay rules during an athletic competition, the relevant rule administrator shall render a final decision within 10 business days. The rule administrator's final decision shall contain:

- (1) Findings of fact.
- (2) Conclusions of law, including a citation to and copy of any rules related to the decision.
- (3) A description of any penalties imposed.
- (4) Instructions on how the aggrieved party may file a notice of appeal with the Superintendent and a notice that the appeal must be filed within five days after receipt of the final decision.

(j) An aggrieved party seeking to appeal a final decision with the Superintendent shall do so in accordance with Rule .0215 of this Section.

(k) Nothing in this Section shall be construed as restricting the independent authority of a PSU to further limit or regulate student participation in interscholastic athletics or other extracurricular activities in accordance with local policies adopted by the governing body of the PSU. Limitations or regulations imposed under local policies shall not be subject to appeal under Rule .0215 of this Section.

*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);
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