

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 91

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

H91-ATC-108 [v.7]

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Amends Title [NO]
Sixth Edition

Date _____, 2021

Senator Johnson

1 moves to amend the bill on page 2, lines 34-37, by rewriting those lines to read:

2
3 "divisions based solely on average daily membership.";

4
5 and on page 3, lines 7-10, by rewriting those lines to read:

6
7 "(g) The State Board of Education shall require an appeals process for enforcement of
8 rules that provides for an independent appeals board, notice of the infraction and the appeals
9 process to the party that receives the penalty, and an opportunity to be heard before the
10 independent appeals board. A student and that student's parent shall be allowed to appeal a
11 penalty resulting from the application of any rule that restricts an individual student from
12 participating in a season, game, or series of games, and shall be provided a written copy of the
13 rule that is the basis for the penalty. The independent appeals board shall be appointed by the
14 State Board of Education. The appeals process established by the State Board";

15
16 and on page 3, line 25, by deleting the word "obtain" and substituting the word "purchase";

17
18 and on page 4, lines 26-27, by inserting the following between those lines:

19
20 **""§ 115C-407.72. Enrollment and transfer restrictions.**

21 (a) The State Board of Education shall adopt rules related to enrollment and transfer of
22 students between public school units that include the following:

23 (1) A student who is not domiciled in a local school administrative unit but enrolls
24 in that unit pursuant to G.S. 115C-366(d) shall not be eligible to participate in
25 interscholastic athletics in that unit if the student's enrollment in that unit is
26 solely for athletic participation purposes.

27 (2) A student who receives priority enrollment as the child of a full-time
28 employee of a charter school pursuant to G.S. 115C-218.45(f)(3) shall not be
29 eligible to participate in interscholastic athletics for that charter school if the
30 Office of Charter Schools determines that the parent's employment was a
31 fraudulent basis for the student's priority enrollment.



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1 (b) The State Board shall require that any school enrolling a student determined to be
2 ineligible as provided in subsection (a) of this section be ineligible to participate in postseason
3 play for one year following discovery of the violation.";

4
5 and on page 5, line 18, by deleting the number "(5)" and substituting the number "(6)";

6
7 and on page 6, lines 14-15, by inserting the following between the lines:

8
9 "j. Prohibit or restrict a participating school from scheduling a
10 non-conference game during the regular season, or take any portion of
11 ticket sales from those games.";

12
13 and on page 7, lines 14-17, by rewriting those lines as follows:

14
15 "act, no later than October 15, 2021. For the 2021-2022 school year only, the State Board and
16 public school units shall not require students to meet any academic requirements for participation
17 and shall provide for hardship waivers for age eligibility requirements in recognition of the
18 impacts of COVID-19 on students during the 2020-2021 school year. For the 2021-2022 school
19 year, no changes shall be made to existing divisions and conferences. Notwithstanding
20 G.S. 150B-21.1A, no findings of ";

21
22 and on page 7, lines 32-37, by rewriting those lines to read:

23
24 **"SECTION 1.(f)** If the State Board of Education enters into a memorandum of
25 understanding with the organization currently authorized to apply and enforce the State Board's
26 rules governing participation in high school interscholastic athletic activities, for the 2021-2022
27 school year, a condition of the memorandum shall be that the organization waive collection of
28 all fees for participating schools for the 2021-2022 school year, except for fees associated with
29 postseason conference games, in recognition of decreased access to interscholastic sports for
30 participating schools in the 2020-2021 school year due to COVID-19.";

31
32 and on page 8, line 5, by deleting the word "activities," and substituting the word "athletics,";

33
34 and on page 9, lines 29-30, by inserting the following between those lines:

35
36 **"SECTION 2.(b1)** G.S. 115C-218(c)(3) is amended by adding a new
37 sub-subdivision to read:

38 "e2. Investigate fraudulent priority enrollments under G.S. 115C-218.45
39 and report findings to the State Board of Education.";

40
41
42

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- 1 and on page 9, line 43, by deleting the word "STUDENT" and substituting the word
2 "STUDENT-ATHLETIC".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
Senate Principal Clerk's Office**