

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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SENATE BILL DRS15128-MT-81A

Short Title: Students, Parents, Community Rights Act. (Local)

Sponsors: Senators Jarvis, Lazzara, and Ford (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PERMIT INCREASED ACCESS TO OUTDOOR SPORTING FACILITIES IN
3 PUBLIC AND NONPUBLIC HIGH SCHOOLS IN CERTAIN COUNTIES.

4 Whereas, the State of North Carolina has a rich tradition of excellence in high school
5 sports; and

6 Whereas, high school sports are beneficial to the health and well-being of students,
7 families of students, friends of students, and the community as a whole; and

8 Whereas, student athletes have a right to participate in sporting events in high school;
9 and

10 Whereas, families of student athletes, friends of student athletes, and community
11 members have a right to support student athletes in high school by attending sporting events; and

12 Whereas, G.S. 115C-47(4) provides that "[l]ocal boards of education shall make all
13 rules and regulations necessary for the conducting of extracurricular activities in the schools
14 under their supervision, including a program of athletics ..."; and

15 Whereas, the First Amendment of the Constitution of the United States protects "the
16 right of the people peaceably to assemble"; Now, therefore,
17 The General Assembly of North Carolina enacts:

18 **SECTION 1.** Notwithstanding Article 1A of Chapter 166A of the General Statutes,
19 any executive order, secretarial order, or directive authorized pursuant to Article 1A of Chapter
20 166A of the General Statutes, or any other provision of law, for the remainder of the scheduled
21 2020-2021 school year, all public and nonpublic high schools are authorized to allow spectators
22 to attend outdoor sporting events as follows:

- 23 (1) For each outdoor facility, including a park, field, or court, the number of
24 spectators shall amount to no more than fifty percent (50%) of the capacity
25 stated on the facility's certificate of occupancy under the North Carolina State
26 Building Code or, in the event the facility does not have a certificate of
27 occupancy, no more than seven spectators for every 1,000 square feet.
- 28 (2) For outdoor sporting facilities that allow spectators to bring their own seats,
29 individuals who sit in their own seats shall not count toward the limit on the
30 number of spectators described in subdivision (1) of this section if those
31 individuals maintain at least 6 feet of distance between themselves and anyone
32 outside of their family unit.
- 33 (3) In allowing access to outdoor sporting facilities in high schools, schools shall
34 comply with all requirements of both of the following, to the extent those
35 requirements do not conflict with this act:



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- 1 a. The StrongSchoolsNC Public Health Toolkit (K-12), as that guidance
- 2 existed on February 2, 2021.
- 3 b. Interim Guidance for Administrators and Participants of Youth and
- 4 Amateur Sports Programs, as that guidance existed on January 28,
- 5 2021.

6 **SECTION 2.** For purposes of this act, the term "spectator" does not include athletes,
7 employees of a public or nonpublic high school, entertainers, or staff providing support for the
8 sporting event.

9 **SECTION 3.** Nothing in this act shall be construed to prohibit a school, in the
10 discretion of the governing body of that school, from implementing stricter access to an outdoor
11 sporting event at that school.

12 **SECTION 4.** This act applies only to Davidson County, Davie County, Forsyth
13 County, Johnston County, Jones County, Montgomery County, Nash County, Rowan County,
14 and Stanly County.

15 **SECTION 5.** This act is effective when it becomes law.