

# 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  
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