

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 52

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

S52-ATC-13 [v.4]

Page 1 of 2

Amends Title [YES]
First Edition

Date _____, 2023

Senator Lazzara

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moves to amend the bill on page 1, line 2, by deleting the word "PROVIDING" and substituting the following phrase in its place:

"TO GRANT THE SUPERINTENDENT OF PUBLIC INSTRUCTION THE FINAL AUTHORITY FOR HIGH SCHOOL INTERSCHOLASTIC ATHLETIC ELIGIBILITY APPEALS, AND TO PROVIDE";

and on page 1, lines 5-6, by inserting the following between those lines:

"SECTION 1.(a) G.S. 115C-407.55 reads as rewritten:
"§ 115C-407.55. Rules for high school interscholastic athletic activities.

The State Board of Education shall adopt rules governing high school interscholastic athletic activities conducted by public school units that include the following:

- ...
- (4) Appeals rules. – These rules shall establish an appeals process for enforcement of rules that provides for an independent appeals board, notice of the infraction and the appeals process to the party that receives the penalty, and an opportunity to be heard before the independent appeals board. The rules shall also provide for a process for appeal of the independent appeals board's decision on application of eligibility rules to the Superintendent of Public Instruction, who shall make a final decision in any such appeal.

...."

SECTION 1.(b) This section is effective when it becomes law, and applies beginning with the 2024-2025 school year. The State Board of Education shall adopt rules to implement this section consistent with the requirements of Section 1.2 of this act.

SECTION 1.2(a) Notwithstanding G.S. 115C-407.55(4), as enacted by this act, from January 1, 2023, through June 30, 2024, the Superintendent of Public Instruction shall be



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1 authorized to make final decisions in any appeal of an eligibility rule determination made by the
2 independent appeals board, beginning with final decisions of the board made on or after January
3 1, 2023, as follows:

- 4 (1) Appeals may be made to the Superintendent by any party affected by the
5 ruling, including the student and student's parent.
6 (2) Appeals shall be made in a form specified by the Superintendent and shall
7 state with specificity the grounds for requesting review.
8 (3) The Superintendent shall accept appeals for review in the discretion of the
9 Superintendent.
10 (4) The Superintendent shall review the record in each appeal, and may, in the
11 discretion of the Superintendent, allow the parties to the appeal the
12 opportunity to present additional evidence.
13 (5) The decision of the Superintendent shall be the final decision on that appeal.

14 **SECTION 1.2(b)** This section is effective when it becomes law, and applies to all
15 final decision made by the independent appeals board between January 1, 2023 and June 30,
16 2024.";

17
18 and on page 1, line 6, by deleting the phrase "SECTION 1." and inserting in its place "SECTION
19 1.5".

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**