



NORTH CAROLINA
State Board of Education
Department of Public Instruction

Report to the North Carolina General Assembly

Session Law 2023-133 / Senate Bill 452

**An act to make various changes to the
Insurance Laws of North Carolina to amend
the Insurance Rate-Making Laws, and to
revise High School Interscholastic Athletics
Part XIX Implementation of Interscholastic
Athletic Rules**

Date Due: April 1, 2024
DPI Chronological Schedule, 2024-2025

STATE BOARD OF EDUCATION

STATE BOARD OF EDUCATION VISION

Every public school student in North Carolina will be empowered to accept academic challenges, prepared to pursue their chosen path after graduating high school, and encouraged to become lifelong learners with the capacity to engage in a globally-collaborative society.

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NC DEPARTMENT OF PUBLIC INSTRUCTION

Maurice "Mo" Green, State Superintendent / 301 N. Wilmington Street, Raleigh, North Carolina 27601

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This report is in response to SL 2023-133, which directed the Superintendent of Public Instruction, in consultation with any interscholastic athletics administering organizations, to study and make findings and recommendations by April 1, 2024 to the Joint Legislative Education Oversight Committee on the following:

(1) Whether an administering organization should be responsible for overseeing the conduct of middle school interscholastic athletics for public school units. The Superintendent shall include in the deliberations an examination of the potential costs to public school units for oversight of middle school interscholastic athletics by an administering organization. The Superintendent shall establish workgroups of athletic directors, principals, and coaches employed by schools serving students in grades six through eight and parents of students in grades six through eight to provide input on this recommendation.

(2) Factors that should be considered in (i) home school students' participation in interscholastic athletics, including how to address insurance and liability issues for those students while participating in interscholastic athletics, (ii) cooperative innovative high school students' participation in interscholastic athletics, and (iii) nonpublic schools. The Superintendent shall establish workgroups of athletic directors, principals, and parents of students in home schools, cooperative innovative high schools, and nonpublic schools to provide input on this recommendation. (SL 2023-133, Section 19.(d))

Superintendent of Public Instruction Catherine Truitt convened a work group of public school unit athletic directors, principals, and coaches that met on November 25, 2024 and January 13, 2025. The following individuals were invited to participate in the workgroup:

- Two school district athletic directors (one from a large local school administrative unit and one from a small local school administrative unit)
- Two high school principals
- One middle school principal
- Two high school coaches
- Two middle school coaches
- One parent

The following sections provide consensus findings from the work group discussions and a summary of comments from work group participants on each of the key areas of study from SL 2023-133. The comments and findings in this report are based on the discussions of the work group participants and are not the recommendations of former Superintendent Catherine Truitt or Superintendent Maurice “Mo” Green.

Oversight of Middle School Interscholastic Athletics for Public School Units

Consensus Findings

- Public School Units (PSUs) should continue to have oversight of middle school athletics.
- The Department of Public Instruction (DPI) should have a full-time athletics position to support PSUs in oversight of middle school athletics.

Summary of Comments from Work Group Participants

Work group participants acknowledged that middle school interscholastic athletics have grown dramatically over the past several years, as has the number of students getting involved in middle school interscholastic athletics. Work group participants shared that it would be helpful to have some level of statewide support and oversight for middle school interscholastic athletics, but participants recommended that the current rule of local control by PSUs over middle school interscholastic athletics should continue. There was consensus for a part-time or full-time position within DPI to provide support to PSUs on interscholastic athletics policy changes, to answer questions, and to help support the transition for students from middle school to high school athletics.

In addition, there is currently no administering organization that oversees middle school athletics in the state, and it would be logistically challenging to stand one up. There are currently two statewide administering organizations for high school athletics. The North Carolina High School Athletics Association (NCHSAA) is the larger of the two organizations and provides oversight for 439 member high schools (95 percent of all NC public high schools that participate in interscholastic athletics).¹ The NCHSAA was founded over 100 years ago as a nonprofit organization and has well-established staffing, processes, and relationships for administering high school interscholastic athletics. There are currently more than 800 public schools in North Carolina that serve middle school students (grades 6 through 8). For an administering organization to successfully support that potential number of member schools, it would need to be as large as or larger than the NCHSAA. It is unlikely that an organization of that size could develop quickly or organically.

In addition, establishing consistent and sufficient revenue streams for an administering organization for middle school athletics could be difficult. For the 2024-25 school year, NCHSAA member schools paid membership dues in the amount of \$1.00 per enrolled student.² However, based on NCHSAA's 2024-25 approved budget,³ just 13 percent of the organization's revenues come from membership dues. More than three-fourths (77 percent) of NCHSAA's revenue comes from playoff ticket sales and corporate sponsorships.

Participation of Home School Students in Interscholastic Athletics

Consensus Findings

- PSUs should continue to have the authority to determine if a home school student should be allowed to participate in interscholastic athletics for the PSU.

Summary of Comments from Work Group Participants

Current SBE rules (16 NCAC 06E .0207(d)(3)) allow a local board of education to adopt a policy to allow home school participation in interscholastic athletics provided that the board either agrees to cover any such person whom it allows to participate under its catastrophic athletic accident insurance policy or verifies that the person is independently covered by catastrophic accident insurance.

One of the PSUs represented on the work group allows home school students to participate in interscholastic athletics if they are enrolled part-time at the school. One of the other PSUs has an online program, and if a student is enrolled in the online program, they may participate in interscholastic

¹ The other administering organization is the Carolina Athletic Association for Schools of Choice (CAA4SC), which consists of 24 member charter schools.

² NCHSAA 2024-25 Handbook; available at https://www.nchsaa.org/wp-content/uploads/2024/09/2024-2025-NCHSAA_Handbook.pdf.

³ Available at https://www.nchsaa.org/wp-content/uploads/2024/12/Approved-budget-2024_2025.pdf.

athletics at their base school. One PSU that was represented in the work group previously allowed part-time enrolled students to participate in interscholastic athletics, but the PSU stopped this practice because of the lack of funding for those students and the difficulty of holding those students accountable to the academic requirements for participation in interscholastic athletics. The other PSUs represented do not allow home school students to participate in interscholastic athletics.

The work group participants highlighted two key concerns with allowing home school students to participate in interscholastic athletics (note that both concerns were also raised with allowing non-public school students to participate in interscholastic athletics with a PSU):

1. *Scholastic requirements* – Under current SBE rules (16 NCAC 06E. 0207(f)(1)), to be eligible to participate in interscholastic athletics, a student must be in “good academic standing,” which is defined as having attended a least 85 percent of the total number of instructional days during the previous semester; having passed at least 70 percent of courses taken the previous semester; and making sufficient academic progress towards the academic and curricular requirements to be promoted to the next grade. PSUs are not able to assess if a home school student is in “good academic standing” given that they are not enrolled in courses with the PSU and PSUs do not have access to comparable academic information for a home school student that would allow them to determine if the student is in “good academic standing.”
2. *Funding* – Both local and state funding for public school units is based on student enrollment (calculated as average daily membership or ADM). There is a limited amount of state funding that can support co-curricular student activities, such as interscholastic athletics, band, theater, or other extracurricular programs. PSUs, though, mostly use local funds to support interscholastic athletic programs. If a home school student is not enrolled in the PSU, the PSU is not receiving any state or local (city or county) funding to support that student’s participation in interscholastic athletics.

Participation of Cooperative Innovative High School Students in Interscholastic Athletics

Consensus Findings

- PSUs should continue to have the authority to determine whether Cooperative Innovative High School Students can participate in interscholastic athletics at their base school.

Summary of Comments from Work Group Participants

Current SBE rules do not prohibit PSUs from allowing students in Cooperative Innovative High Schools (CIHS) to participate in interscholastic athletics at another school. Instead, PSUs have local authority to determine if CIHS students can participate in interscholastic athletics at another school. Among the work group participants, some of the PSUs that were represented allow CIHS students to participate in interscholastic athletics at their base school and some of the PSUs do not. For those that allow students to participate at their base school, the student must provide transportation.

Participation of Non-Public School Students in Interscholastic Athletics

Consensus Findings

- Non-public school students should not participate in interscholastic athletics with PSUs.

Summary of Comments from Work Group Participants

None of the PSUs represented in the work group currently allow non-public school students to participate in interscholastic athletics with a public school. As with participation with home school students, the participants shared the same concerns with allowing non-public school students to participate in interscholastic athletics:

- It is difficult for PSUs to assess if a student is meeting the scholastic requirements to be able to participate.
- Since non-public school students are not enrolled in the PSU, PSUs do not receive state or local funding to support that student's participation in interscholastic athletics.