

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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SENATE BILL 231

Short Title: Military Family Sports Act. (Public)

Sponsors: Senators Lazzara, Sanderson, and deViere (Primary Sponsors).

Referred to: Rules and Operations of the Senate

March 11, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO REORGANIZE RULES REGARDING THE REGULATION OF
3 INTERSCHOLASTIC ATHLETICS IN PUBLIC SCHOOLS AND TO REQUIRE THE
4 STATE BOARD OF EDUCATION TO ADOPT A RULE TO EXPAND ELIGIBILITY
5 FOR CHILDREN OF MILITARY FAMILIES TO PARTICIPATE IN
6 INTERSCHOLASTIC ATHLETICS.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.(a)** G.S. 115C-12(23) reads as rewritten:

9 "(23) Power to Adopt Eligibility Rules for Interscholastic Athletic Competition. –
10 The State Board of Education shall adopt rules governing interscholastic
11 athletic activities ~~conducted by local boards of education, including eligibility~~
12 ~~for student participation. With regard to middle schools and high schools, the~~
13 ~~rules shall provide for the following:~~ in accordance with Article 29E of this
14 Chapter.

15 a. ~~All coaches, school nurses, athletic directors, first responders,~~
16 ~~volunteers, students who participate in interscholastic athletic~~
17 ~~activities, and the parents of those students shall receive, on an annual~~
18 ~~basis, a concussion and head injury information sheet. School~~
19 ~~employees, first responders, volunteers, and students must sign the~~
20 ~~sheet and return it to the coach before they can participate in~~
21 ~~interscholastic athletic activities, including tryouts, practices, or~~
22 ~~competition. Parents must sign the sheet and return it to the coach~~
23 ~~before their children can participate in any such interscholastic athletic~~
24 ~~activities. The signed sheets shall be maintained in accordance with~~
25 ~~sub-subdivision d. of this subdivision.~~

26 For the purpose of this subdivision, a concussion is a traumatic
27 brain injury caused by a direct or indirect impact to the head that
28 results in disruption of normal brain function, which may or may not
29 result in loss of consciousness.

30 b. ~~If a student participating in an interscholastic athletic activity exhibits~~
31 ~~signs or symptoms consistent with concussion, the student shall be~~
32 ~~removed from the activity at that time and shall not be allowed to~~
33 ~~return to play or practice that day. The student shall not return to play~~
34 ~~or practice on a subsequent day until the student is evaluated by and~~
35 ~~receives written clearance for such participation from (i) a physician~~
36 ~~licensed under Article 1 of Chapter 90 of the General Statutes with~~



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1 training in concussion management, (ii) a neuropsychologist licensed
 2 under Article 18A of Chapter 90 of the General Statutes with training
 3 in concussion management and working in consultation with a
 4 physician licensed under Article 1 of Chapter 90 of the General
 5 Statutes, (iii) an athletic trainer licensed under Article 34 of Chapter
 6 90 of the General Statutes, (iv) a physician assistant, consistent with
 7 the limitations of G.S. 90-18.1, or (v) a nurse practitioner, consistent
 8 with the limitations of G.S. 90-18.2.

9 e. Each school shall develop a venue specific emergency action plan to
 10 deal with serious injuries and acute medical conditions in which the
 11 condition of the patient may deteriorate rapidly. The plan shall include
 12 a delineation of roles, methods of communication, available
 13 emergency equipment, and access to and plan for emergency transport.
 14 This plan must be (i) in writing, (ii) reviewed by an athletic trainer
 15 licensed in North Carolina, (iii) approved by the principal of the
 16 school, (iv) distributed to all appropriate personnel, (v) posted
 17 conspicuously at all venues, and (vi) reviewed and rehearsed annually
 18 by all licensed athletic trainers, first responders, coaches, school
 19 nurses, athletic directors, and volunteers for interscholastic athletic
 20 activities.

21 d. Each school shall maintain complete and accurate records of its
 22 compliance with the requirements of this subdivision pertaining to
 23 head injuries.

24 The State Board of Education may authorize a designated organization to apply
 25 and enforce the Board's rules governing participation in interscholastic athletic
 26 activities at the high school level."

27 **SECTION 1.(b)** Chapter 115C of the General Statutes is amended by adding a new
 28 Article to read:

29 "Article 29E.

30 "Interscholastic Athletic Competition.

31 "**§ 115C-407.50. State Board rules governing interscholastic athletic activities.**

32 (a) The State Board of Education shall adopt rules governing interscholastic athletic
 33 activities conducted by local boards of education, including eligibility for student participation.

34 (b) The State Board of Education may authorize a designated organization to apply and
 35 enforce the Board's rules governing participation in interscholastic athletic activities at the high
 36 school level.

37 "**§ 115C-407.55. Rules on concussions and head injuries.**

38 (a) For the purpose of this section, a "concussion" is a traumatic brain injury caused by a
 39 direct or indirect impact to the head that results in disruption of normal brain function, which
 40 may or may not result in loss of consciousness.

41 (b) With regard to concussions and head injuries in middle schools and high schools, the
 42 State Board shall adopt rules that provide for the following:

43 (1) All coaches, school nurses, athletic directors, first responders, volunteers,
 44 students who participate in interscholastic athletic activities, and the parents
 45 of those students shall receive, on an annual basis, a concussion and head
 46 injury information sheet. School employees, first responders, volunteers, and
 47 students must sign the sheet and return it to the coach before they can
 48 participate in interscholastic athletic activities, including tryouts, practices, or
 49 competition. Parents must sign the sheet and return it to the coach before their
 50 children can participate in any such interscholastic athletic activities. The

1 signed sheets shall be maintained in accordance with subsection (c) of this
2 section.

3 (2) If a student participating in an interscholastic athletic activity exhibits signs
4 or symptoms consistent with a concussion, the student shall be removed from
5 the activity at that time and shall not be allowed to return to play or practice
6 that day. The student shall not return to play or practice on a subsequent day
7 until the student is evaluated by and receives written clearance for such
8 participation from one of the following:

9 a. A physician licensed under Article 1 of Chapter 90 of the General
10 Statutes with training in concussion management.

11 b. A neuropsychologist licensed under Article 18A of Chapter 90 of the
12 General Statutes with training in concussion management and working
13 in consultation with a physician licensed under Article 1 of Chapter 90
14 of the General Statutes.

15 c. An athletic trainer licensed under Article 34 of Chapter 90 of the
16 General Statutes.

17 d. A physician assistant, consistent with the limitations of G.S. 90-18.1.

18 e. A nurse practitioner, consistent with the limitations of G.S. 90-18.2.

19 (c) Each middle and high school shall maintain complete and accurate records of its
20 compliance with the requirements of this section.

21 **"§ 115C-407.60. Emergency action plans.**

22 (a) With regard to middle schools and high schools, the State Board shall adopt a rule
23 that requires each school to develop a venue specific emergency action plan to deal with serious
24 injuries and acute medical conditions in which the condition of the patient may deteriorate
25 rapidly. The plan shall include a delineation of roles, methods of communication, available
26 emergency equipment, and access to and plan for emergency transport.

27 (b) The rule adopted pursuant to subsection (a) of this section shall require the plan to be
28 at least the following:

29 (1) In writing.

30 (2) Reviewed by an athletic trainer licensed in North Carolina.

31 (3) Approved by the principal of the school.

32 (4) Distributed to all appropriate personnel.

33 (5) Posted conspicuously at all venues.

34 (6) Reviewed and rehearsed annually by all licensed athletic trainers, first
35 responders, coaches, school nurses, athletic directors, and volunteers for
36 interscholastic athletic activities.

37 **"§ 115C-407.65. Eligibility for children of military families.**

38 The State Board of Education shall adopt a rule providing that any child of a military family,
39 as defined in Article 29B of this Chapter, who transfers into a middle school or high school due
40 to the military service of his or her parent or legal guardian is eligible to participate in an
41 interscholastic athletics activity occurring at that school during the semester in which the student
42 transfers into the school, even if the student does not meet the following eligibility criteria:

43 (1) Minimum requirements related to course enrollment.

44 (2) Deadlines to apply to participate in an interscholastic athletics activity."

45 **SECTION 2.** This act is effective when it becomes law and applies beginning with
46 the 2021-2022 school year.