

POLICY COMMITTEE

Committee Members:

Paul Hoggard - Chair
Patty Evers - Vice Chair
Terry Worrell, Jerry Simmons, Burt Jenkins,
Wendell Hall

Staff:

Brad Alford and Whitney Frye

AGENDA ITEM	RECOMMENDATION	SUPPORTING INFORMATION
1. Non-Athletic Calendar Attachment P1	Review the 2017-18 Non-Athletic Calendar.	Rationale: To provide specific information to the membership about NCHSAA events not related to sports and championships. Budget Impact: N/A Educational Impact: N/A Equity Impact: N/A Effective Date: 2017-18 Academic Year
2. Amateur Rule	Review the current amateur rule policy, Rule 1.2.14 (pg. 24) regarding athletes who violate policy losing eligibility in that particular sport.	Rationale: The effect of the rule does not mirror its application as currently written. Violation in 2016-17 academic year produced an undesired result. Budget Impact: N/A Educational Impact: N/A Equity Impact: All students will be treated equally. Effective Date: TBD

3. Senior Exception to
Certain NCHSAA
Requirements

Review current policy to determine if senior exception to the minimum load requirement is advisable. For reference, Rule 1.25 (pg. 20).

Review current policy to determine if senior exception to use of school uniforms in all-star games or bowl games, and inclusion in numbers restrictions; modifying interpretation of rules regarding school representation after a student has exhausted his or her eligibility in that sport accordingly. Reference Rules 1.2.13 and 2.2.15(e)(3).

Rationale: There has been a significant increase in Hardship Requests for Seniors who have failed to meet the minimum requirement but are on track to graduate or have met all graduation requirements. Additionally, the number of all-star and bowl games seeking to use uniforms (in whatever form) has increased, and if the NCHSAA is allowed, to disclaim catastrophic insurance liability for participants in all-star and bowl games, would pose no additional risk to the Association.

Budget Impact: N/A

Educational Impact: Addition of a senior exception may affect the number of courses students are enrolled in, especially in the second semester.

Equity Impact: The way senior students are treated, in certain situations, will be different than their peers.

Effective Date: 2017-18 Academic Year

4. Emancipation Definition

Attachment P2

Provide clarity and guidance for interpretation of Rule 1.2.9(g) (pg. 23) when students turn 18 or are legally emancipated.

Rationale: There has been confusion regarding students who reach the age of majority (i.e. 18) and how residency rules apply to them. Students who remain reliant on an adult, who acts as a guardian for all intents and purposes, should remain subject to the emancipation residence rule. Clarity is needed to address students who turn 18 and live on their own or have been legally emancipated by a court of competent jurisdiction for the Hardship process.

Budget Impact: N/A

Educational Impact: N/A

Equity Impact: Students who meet the criteria would be treated the same.

Effective Date: 2017-18 Academic Year

5. Quorum Requirements Attachment P3	Provide language to the Membership for vote at Regional Meetings to modify Bylaw II, 3. Quorum.	Rationale: The quorum requirement, as written does not mirror the intent of the Board of Directors when drafted. It appears that the intent of the Board of Directors when the requirement was drafted, was that a quorum was any of the Board Members who were present at the meeting, whether virtual or otherwise. However, that definition could produce undesirable and unintended results. Budget Impact: N/A Educational Impact: N/A Equity Impact: N/A Effective Date: 2017-18 Regional Meetings
6. Review Transfer Rule Attachment P4	Review proposals for modifying the NCHSAA transfer rule and impact upon student-athletes and NCHSAA member-schools, Staff and Board of Directors.	Rationale: NCHSAA rules exist to enhance student's academic experience and current measures have the potential to affect students-athletes. Budget Impact: N/A Educational Impact: N/A Equity Impact: N/A Effective Date: TBD

7. Residence Requirement-
Majority of The Nights

Change residence requirement language for students when no custody order has been entered.

Rationale: Current language states that the residence shall be deemed to be that of the parents with whom the student spends the majority of nights during the school calendar year. The school year is approximately 180 days, which leads to some hard explanations and tricky math when students change domiciles to live with a different parent during the school year. Making the change would provide for easier interpretation of the rule and eliminate any loopholes.

Budget Impact: N/A

Educational Impact: N/A

Equity Impact: N/A

Effective Date: July 31, 2017

8. Endowment Games	Alter the language in NCHSAA Handbook 4.1.6(a): The home team will remit twenty-five (25) percent of the gross revenue to the NCHSAA's endowment fund. If a member school plays an endowment game against a non-member school, the member school is responsible for remitting payment to the NCHSAA regardless of where the game is played. Expenses will be deducted from the remaining proceeds and the competing schools will divide the remainder. The competing schools are responsible for determining allowable expenses and the team shares.	Rationale: To clarify which school is responsible for remitting payment, especially when a non-member school is involved. Budget Impact: N/A Educational Impact: N/A Equity Impact: N/A Effective Date: 2017-18 Academic Year
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9. Frozen Rosters

Incorporate a rule in which after a certain date of the sports season NO FURTHER ADDITIONS to the eligibility roster would be allowed.

Suggestions of timelines for a "Frozen Roster" date could be:

- (1) After the six week, dead period;
- (2) After 50% of season;
- (3) At completion of the regular season;
- (4) Pick another date fair to all...e.g. After eight weeks into the season.

Rationale: Would certainly stop any late season "move ins" (bona fide or questionable)

Need to "stay ahead" of this issue as some parents are moving their child to another school at the end of season right before conference tournament or playoffs.

This would stop "unethical" bona fide moves (e.g.) parents separating.

Would protect the role of the student athletes who have been playing on the team the whole season. Other students could not move in late in the season and take the position of a student athlete that has been on the team the whole season.

Makes for a very wholesome, ethical, and drama free athletic environment.

Budget Impact: N/A

Educational Impact: N/A

Equity Impact: Very fair to all. Especially the athletes that have been a part of the team

10. Winter Sports Season
Eligibility

Once a student athlete is eligible for a sports season, then they shall remain academically eligible for the duration of that sports season.

Rationale: The winter season is almost complete by the time first semester grades are checked. (especially since exams are not until the middle of January)

Problems with getting test results back on time.

We do not remove a Fall or Spring athlete from a team near the end of their season.

Budget Impact: N/A

Educational Impact: N/A

Equity Impact: N/A

Effective Date: 2017-18 Academic Year

11. Cheerleading Governed
as a Sport

Cheerleading be fully governed by the NCHSAA.

Cheer coaches should be mandated to attend a rules meeting each year in Greensboro just like all other sports Head Coaches.

Cheer should have a specific tryout date for the whole state to follow like all other sports. Specific dates for tryouts for both football cheer and basketball cheer.

Recommend Aug. 1 for Fall and first day of winter sport tryouts for basketball cheer.

Cheer should follow skill development guidelines like all other sports.

Cheer teams can still go to camp during the summer. They just may have to take more girls than they normally would but aren't be supposed to be about providing opportunities to students and "open to all, required of none".

Rationale: The NCHSAA already governs Cheerleading in the aspects of eligibility, coaching certifications, AACCA certifications and holds a state competition.

Conducting tryouts in May or June is not fair to students who move in over summer and find out that the team has already been chosen. Schools could still give these summer enrollees a separate tryout but not fair to all the other girls that did not make the team for the new enrollee to get a private tryout. Setting a tryout date in August would eliminate most of this issue.

No other teams get to pick their teams before Aug. 1st.

Consistency across the state.

Budget Impact: N/A

Educational Impact: N/A

Equity Impact: N/A

Effective Date: 2017-18 or 2018-19
Academic Year

12. Wet Bulb Globe Temperature	Add language to the WBGT Index and Athletic Activity Chart in the 90 or Above category for Athletic Activity Guidelines: SUSPEND PRACTICE/MUST INCLUDE MANDATORY BREAKS AS DIRECTED BY GAMEDAY ADMINISTRATOR DURING CONTEST.	Rationale: To provide clarity to the existing rule for contests. Budget Impact: N/A Educational Impact: N/A Equity Impact: N/A Effective Date: 2017-18 Academic Year
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2017-2018 KEY DATES FOR NCHSAA NON-ATHLETIC EVENTS**2017**

JUNE	11-15	Student Athlete Summer Institute (SASI)
	15	Officials' Registration Deadline for football, soccer, and volleyball
	18-22	Student Athlete Summer Institute (SASI)
	22	NCHSAA Hall of Fame Committee Meeting at NCHSAA
	25-29	Student Athlete Summer Institute (SASI)
JULY	13	New Schools/New AD Orientation
	15	Deadline for Scholar-Athlete second semester (Spring Sports) nominations
	18-21	NC Coaches Association Clinic, Greensboro Coliseum
AUGUST	15	Deadline to submit Catastrophic Insurance Application
SEPTEMBER	1	Deadline to submit School Information Sheet online to NCHSAA
	1	Fall Eligibility Summary Deadline
	15	Officials' Registration Deadline for basketball and wrestling
	18-28	Regional Meetings
	18	Region 6 Charlotte, Ovens Auditorium
	19	Region 8 Asheville, Asheville Event Center
	20	Region 7 Wilkesboro, Stone Performance Art Building
	21	Region 5 Greensboro, Greensboro Coliseum
	25	Region 4 Fayetteville, Educational Resource Center
	26	Region 2 Kenansville, Duplin Commons
	27	Region 1 Greenville, Murphy Center, East Carolina University
	28	Region 3 Cary, Embassy Suites
OCTOBER	1	Deadline to submit Catastrophic Insurance Premium
	2	Deadline for submission of the fall Scholar-Athlete Essay Contest
	8	City/County Athletic Directors Meeting
	15	Schools submit winter sports schedule to regional supervisors of officials
	27-29	Coach & Captain Retreat
	TBD	Education and Athletics Committee Meeting
NOVEMBER	1	Deadline for NCHSAA Board Agenda Items submission
	20	NCHSAA Cheerleading Scholarship deadline
	29-30	NCHSAA Board of Directors Meeting
DECEMBER	1	Deadline to submit NCHSAA Membership Dues
	1	Winter Eligibility Summary Deadline
	15	Officials' Registration Deadline for baseball, lacrosse, softball, w. soccer, and track and field

2018

JANUARY	4	Deadline for NCHSAA Spirit of Sport Award nominations
	15	Schools submit spring sports schedule to regional supervisors of officials
FEBRUARY		
	11	City/County Athletic Directors Meeting
	16	Deadline for scholarship applications (Clary Medal, Charlie Adams Endowed Scholarship, Gainey Award, Jerry McGee Endowed Scholarship, Willie Bradshaw Memorial Endowed Scholarship,)
	25	Submission of basketball playoff information online
MARCH	1	Deadline for “Heart of a Champion” Nominations
	7	NCHSAA State Basketball Championship Press Conference
	15	Spring Eligibility Summary Deadline
	15	Deadline for Scholar-Athlete first semester (Fall & Winter Sports) nominations
	31	Deadline for Toby Webb Coach of the Year Award
APRIL	1	Deadline for “Eight Who Make a Difference” Nominations
	1	Deadline for NCHSAA Board Agenda Items submission
	1	NCHSAA Hall of Fame nomination deadline
	1	SAAC Applications Due
	2-5	NC Athletic Directors Conference, Grove Park, Asheville
	6	Tony Cullen Memorial Scholarship application deadline
	6	NCHSAA Lacrosse Scholarship deadline
	8	“Heart of a Champion” Luncheon
	14	Commissioner Cup deadline
	28	Performance of the Week Luncheon
	30	Deadline for submission of the spring Scholar-Athlete Essay Contest
	TBD	Student Leadership Conference
MAY	1-2	NCHSAA Board of Directors Meeting
	3	NCHSAA Annual Meeting
	15	School submit fall sports schedule to regional supervisors
JUNE	15	Officials’ Registration Deadline for football, soccer and volleyball
	TBD	Student Athlete Summer Institute (SASI)
JULY	15	Deadline for Scholar-Athlete 2 nd semester (Spring Sports) nominations
	17-20	NC Coaches Association Clinic, Greensboro Coliseum

NCHSAA Athletics Participation - Emancipation and the Age of Majority

- Most often students at our member schools are juveniles, who are, by definition, those individuals who have not reached their eighteenth birthday, is not married, emancipated or a member of the Armed Forces of the United States. N.C.G.S. 7B-101(14).
- Emancipation is a legal term whereby a minor is freed from control by his or her parents or guardian(s), and the parent(s) or guardian(s) are free from any and all responsibility toward the child.
- There are two types of emancipation, emancipation by judicial decree and automatic emancipation.

Emancipation by Judicial Decree

- A minor can request to be judicially emancipated in North Carolina if:
 - 1. They are 16 years of age or older; and
 - 2. They have resided in the same county in North Carolina or in a federal territory within the boundaries of North Carolina for six months next preceding the filing of the petition
- If a minor requests (petitions) an emancipation, the court it makes the following considerations in determining the best interests of the minor and the need for emancipation:
 - The parental need for the earnings of the minor
 - The minor's ability to function as an adult
 - The minor's need to contract as an adult or to marry
 - The employment status of the minor and the stability of the minor's living arrangements
 - The extent of family discord which may threaten reconciliation of the minor with the minor's family
 - The minor's reject of parental supervision or support; and
 - The quality of parental supervision or support
- After reviewing the considerations for emancipation, the court may enter a decree of emancipation if the court determines:
 - That all parties are properly before the court or were duly served and failed to appear and that time for filing an answer has expired;
 - Essentially everyone was at court, and if they were not at court they were notified and failed to show and the time for them to send a response has ended
 - That the minor has shown a proper and lawful plan for adequately providing for the minor's needs and living expenses
 - That the minor is knowingly seeking emancipation and fully understands the ramifications of the act; and
 - That emancipation is in the best interest of the minor.
- If the emancipation is granted, the parent, guardian or custodian is relieved of all legal duties and obligations owed to the emancipated minor and is divested of all

rights with respect to the emancipated minor. The emancipation decree is also irrevocable.

Automatic Emancipation

- Married juveniles are considered emancipated and do not have to request a judicial decree of emancipation.
- Students who reach the age of majority, turn 18, are considered under the law to be emancipated; however, considering the application of rules regarding athletic participation reaching the age of majority does not automatically exempt a student from applicable NCHSAA rules, including those concerning residence.
- Students who have reached the age of majority, and wish to be considered emancipated for the purposes of athletic participation must provide documentation which establishes that they solely responsible for their care. Factors for the NCHSAA to consider include those that the court would consider in a minor who wishes to be emancipated, including:
 - The student's ability to function as an adult
 - The employment status of the student and the stability of the student's living arrangements
 - The student's rejection of parental supervision or support
 - The student's use of a caretaker, any person other than the student's parent, guardian or custodian who has undertaken responsibility for the health and welfare of the student tin a residential setting.
 - Any other relevant factors

If a student is an emancipated minor by judicial decree, married, or has reached the age of majority and meets the factors listed above, their residency for athletics purposes will be considered under Rule 1.2.9(g).

Rule 1.2.9(g): The residence of a student who is emancipated shall continue to be his or her residence as of the time of emancipation, unless an exception is granted under the procedures established under the Hardship Rule.

Review of this rule begs the questions whether emancipated should be changed to read "the age of majority" as we have not seen many (if any) students who have been judicially emancipated or married.

Quorum

Quorum definition- a quorum is the minimum number of members required to vote on a matter.

N.C.G.S. 55A-8-24 Quorum and Voting (Non-Profits)

(a) Except as otherwise provided in: (1) this Chapter, (ii) the articles of incorporation, or (iii) the bylaws, a quorum of a board of directors consists of a majority of the directors in office immediately before a meeting begins. In no event may the articles of incorporation or bylaws authorize a quorum of fewer than one-third of the number of directors in office.

(b) If a quorum is present with a vote is taken, the affirmative vote of a majority of directors present is the act of the board unless: (i) this Chapter, (ii) the articles of incorporation, or (iii) the bylaws require the vote of a greater number of directors.

Basketball Example:

1. On a basketball team, you have 14 players.
2. You may only take the court with 5 players, the minimum number of players you need to start the game.

Our Current Bylaw:

1. The members of the board of directors shall constitute a quorum at all meetings of the Board of Directors. Action may be taken by a majority of the quorum.
2. All 20 Board Members have to be present and 11 votes are needed to pass a measure.

	Basketball Team	NCHSAA BOD	NCHSAA-Using N.C.G.S. Language
Total Members	14	20	20
Minimum to Play/Vote	5	20	11
Members Present- Game 1	4	19	19
Game 2-Votes Needed to Pass	N/A (must have 5 present)	N/A (must have 20 present)	10
Members Present- Game 2	8	11	11
Game 2-Votes Needed to Pass	5	N/A (must have 20 present)	6
Members Present- Game 3	14	20	20
Game 3- Votes Needed to Pass	8	11	11

FAQS

1. Does this mean that our actions are invalid?
 - a. No, you have validated your actions by way of ratification, meaning you have operated under the provisions of the action as if were valid and thus have ratified them.

Transfer Revamp Notes-WF-2.24.17

- This is with reference to students transferring intra LEA and always absent a bona-fide move
 - Intra-LEA will continue to include transfers from one member school to a non-member school (including Homeschool) to member school within a 365-day period
- The guiding principle of this rule would be sportsmanship, and the purpose would be to prevent recruiting, undue influence, and transfers for the athletics purposes.
 - The NCHSAA understands the benefits continuity of educational opportunities provides, and the influence of athletics has on the development student-athletes; however, we operate under the umbrella of education-based athletics and will never place athletics above academics.
- Tra's Idea: You stay where you start, transfers after the following items would trigger the transfer rule
 - After initial entry
 - Participation in summer workouts/tryouts/ or other team activity (e.g. skill development) on or after August 1 or Fall Sports Date
 - Could add other sports dates here too
- Sit-out/ineligibility period would be reduced from 365 days to two consecutive semesters
- Sit-out period waived if two boards of education agree, board of education for these purpose would include governing diocese and Board of Directors, or like entity
 - Considering future educational transitions, a like entity could possibly including issues involving virtual schools or schools utilizing vouchers
- NCHSAA would create form for Local Boards of Ed. to sign, that says either they agree or disagree that the student should be able to participate in athletics at the school in a different LEA
 - If they refuse to sign the document, they will be deemed to agree to the student's ability to participate in athletics at the new member school
 - The default is they agree and that will be stated explicitly and posted prominently on the form
 - Failure of Previous Member School to submit form to Receiving Member School within two-work weeks, not inclusive of holidays, weekends or LEA closures, will result in a default approval
 - NCHSAA will not honor documents that member schools indicate has a default response in the affirmative if it is apparent that the submission did not honor the Previous Member School's holiday, vacation, or LEA closure
 - Document must have the signature of the Athletic Director and the Principal
 - Document must indicate the W1 from the previous member school and E1 at the receiving member school
 - The document cannot be submitted to the NCHSAA before the student is W1 at the Previous Member School

- Document will also give both schools the ability to indicate whether they believe the transfer was for athletics purposes
 - If school believes transfer was for athletics purposes they have the option to submit a letter and supporting documentation to the NCHSAA directly or to Previous Member School, but must indicate the option they choose on the form.
 - The rule regarding a coach from the previous member school still applies, and the Board of Ed. cannot waive the student's ability to participate in that/those sport(s)
 - There should be a reciprocal provision for students who make a bona-fide move
- If a school indicates that they disapprove of the student's ability to participate in athletics at the receiving member school, they must provide a reason why to NCHSAA and include any accompanying or supporting documents
- Transfer forms must be submitted as soon as possible after student's transfer
- When submitting the documents to the NCHSAA the Receiving Member school must provide documentation of their submission to the previous member school
 - They can send via fax or email (scan doc)
 - If via fax, they should retain confirmation of the submission
- Approval Form should be sent to the NCHSAA → transfer@nchsaa.org (Brad)
 - NCHSAA will review and keep a log of the transfers and submit to the Board of Directors at the Winter and Spring Meetings
 - Will send confirmation to the receiving member and previous member school
- Member schools cannot waive a transfer student's ability to participate in athletics at a member school after the regular season has ended
 - Should be a reciprocal provision for students who make a bona-fide move
- Appeals if a school disapproves of the student's transfer must be made to transfer committee
 - 3 or 5 panel committee → changes each sports season
 - Will provide decisions two (2) weeks after the beginning of the sports season and two weeks after the date for the 1st contest
 - Will use the date for non-football playing schools for the winter sports season
 - Committee should be comprised of a combination of Athletic Director, Principal, Superintendent and Coach at member-schools
 - Coach should be out of season if participating on the committee
 - Committee could also include ex-officio member of the Board of Directors that generally does not have a vote
 - At least 1 non-district affiliated member must be present on each panel
 - Non-district affiliated includes Non-Boarding Parochial & Charter and other educational institutions as they emerge
 - Each region must be represented at least once per Academic Year
 - The committee should also have a staff liaison or facilitator

- Committee would have the ability to reduce the penalty based on appropriate documentation and factors
 - 1 semester
 - 1 sports season
 - Participation in specific sport(s)
 - Sub-varsity participation
- Appeal could be via conference call or mail ballot
 - Must provide all documentation regarding the reason for the student's transfer
 - Must indicate whether the Receiving and Previous Member School believed the transfer is for athletics purposes
 - Assess whether the transfer is for athletics purposes
 - Must also assess whether significant harm would be suffered by the student, previous member school and the NCHSAA if the transfer is approved
 - "No Harm-No Foul" situations should generally be given approval (or appropriate reduction in penalties)
 - Never played a sport at the previous member school (or ever)
 - Never been enrolled in school in NC (or public school)
 - Not enrolled for significant period of time at Previous Member School
 - Less than 5 days
 - On the Waitlist for significant period of time, or entered lottery at Receiving Member School for multiple times before and including time for initial entry
 - Returning to base school (school assigned by Local Board of Ed based on residence) or school of initial entry)
 - Harm or Athletics Purposes could include
 - Participated in tryouts and was cut
 - Participated in sport(s) workouts, practice, or other team activity (e.g. skill development) and did not get along with the coach or other staff
 - Dismissed from team for disciplinary or other reasons
 - Was ruled ineligible to participate in athletics by local policy (or would have been ineligible) at previous member school immediately before or in close proximity to student's transfer
- School should acknowledge and agree that an appeal to and from the transfer committee's decision (if unfavorable) trigger automatic Board Review at scheduled time (once per sports season) and after their hearing, the decision is both final and binding
- Schools should make every effort to operate within the spirit of the rule and schools that seek to prohibit a student's ability to participate without good cause could be subject a sportsmanship violation or reprimand
 - i.e. waiting well until after the deadline to submit a decision

- Conversely schools that seek to circumvent the rule could also be subject to a sportsmanship violation or reprimand
- If the student participates before the confirmation or approval is sent to the NCHSAA they will be penalized as if they had used an ineligible player
 - Playing with a disapproval or disapproval on appeal will also be deemed as use of an ineligible player.

Proposed Transfer Rule Policy

The goal of the NCHSAA in regards to transfers is to prevent undue influence and maintain a level playing field among member schools in regards to athletic eligibility and participation. With that in mind and recognizing the changing face of educational institutions, the allowance of transfers absent a bona fide move will be governed by the following policy:

A student will be immediately eligible at his/her home school upon initial entry into the 9th grade. "Home school" is defined as the school at which the student is enrolled upon initial entry into the 9th grade. "Initial entry" is defined as either the first day of fall sports if the student is participating in fall sports or the first day of classes, whichever comes first.

A student transferring from a non-member school will be immediately eligible at the receiving school provided that the student has not been enrolled in a member school within the previous 365 days. If the student has been enrolled in a member school within the previous 365 days, he/she will follow all other transfer policy scenarios.

A student may elect to transfer one time during their four-year high school eligibility and continue to participate in all regards provided that the transfer occurs during the summer, prior to the initial entry date for the receiving school. This policy is in effect for all member schools including those within the same LEA.

A student who is mandated to transfer because of board policy, usually due to redistricting or the opening of new schools, shall be immediately eligible at their new school provided the transfer was not requested by the student or the student's family.

Any student who elects to transfer after already using his/her one-time transfer will be deemed ineligible for 365 days at the receiving school.

Any midyear transfer, occurring any time after the receiving school's initial entry date, from a member school will require the student to be ineligible for competition at the receiving school

- a. for the remainder of that school year if this is the student's first transfer
- b. for 365 days if this is the student's second (or greater) transfer