

CHARLOTTE-MECKLENBURG SCHOOLS

REGULATIONS Participation in Interscholastic Athletics	CMS/NEPN Code: JFACA-R
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Following are the rules defining eligibility of students enrolled in Charlotte-Mecklenburg Schools (CMS) to participate in interscholastic athletics (“athletics”) as determined by a student’s school assignment. Only students properly enrolled in CMS are eligible to participate in athletics offered through the school district.

I. High School Students

A. Establishing Athletic Eligibility

1. Students Enrolled in Home Schools¹

A student enrolled in his or her home school is eligible to participate in athletics so long as the student meets all other local and state athletic eligibility requirements. A student’s home school is based on the residence address of the student’s parents, according to geographic boundaries for home schools adopted by the Board of Education.²

2. Students Enrolled in Magnets or Non-Magnet School Options³

- a. Except as provided in subsection b, below, a student who enrolls in a magnet or non-magnet school options program or school upon initial entry into high school is eligible to participate in athletics at that school.
- b. A student who enrolls in a CMS middle college at the start of the 11th grade is eligible to participate in athletics.
- c. For high school magnet or non-magnet school options programs that do not provide athletics onsite, the student may participate in athletics at his or her home school. Under no other circumstances may a high school student participate in athletics at a school in which the student

¹ As set forth in Policy JCA, “Student Assignment Plan,” home schools are schools with fixed, contiguous attendance boundaries. Every student will be assigned to a designated home school within proximity to where he or she lives. All CMS policies and regulations are available in the online policy manual at www.cms.k12.nc.us.

² Detailed rules for the determination of a student’s residence based on the domicile of the student’s parents are provided in Policy JCA.

³ Magnets and Non-magnet school options programs are described in detail in Policy JCA.

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Legal Reference: N.C.G.S. §§115C – 45(c), - 47(4), - 366; Rules of the NC High School Athletic Association; NC Department of Public Instruction Middle/Junior High School Athletics Handbook; 20 U.S.C. §6301 et seq.

Cross Reference: JCA, JCA-E, JCA-R, JFAC, JFAC-R, JFACA, JJJ

is not enrolled.

3. In addition, in order to participate in athletics:
 - a. a student must be properly assigned to a school according to the CMS student assignment rules;⁴ and
 - b. the student must meet all other state and local athletic eligibility requirements.⁵ The failure of school personnel, parents or a student to be aware of a rule is not sufficient cause to set aside the application of the rule.
 - c. A student may participate in athletics for no longer than eight consecutive semesters, beginning with the student's first entry into ninth grade, whether in CMS or elsewhere.
4. A high school student whose 19th birthday is on or before August 31 of a school year is not eligible for athletics during that school year or during subsequent school years.⁶

B. Maintaining Athletic Eligibility Upon Change of School Assignment

1. Eligibility for High School Students Who Change Schools

After establishing athletic eligibility upon enrolling in the home school or at a magnet or non-magnet school options high school, a student is immediately eligible for athletics at a different CMS high school in the following circumstances:

- a. The student enrolls in a different home school for any of the following reasons:
 - i. The student's parents move to a different home school attendance area and the student enrolls in the new home school; or
 - ii. The student changes enrollment from a magnet or school options to his or her home school; or
 - iii. The Board of Education changes the attendance area for the student's home school and the student enrolls at the new home school.
- b. A student is granted a transfer or reassignment to a different school by the superintendent or Board of Education for any of the following reasons (which must be documented in the student's educational record):⁷

⁴ CMS student assignment rules are set forth in Policy JCA, Regulation JCA-R and Exhibits JCA-E and JCA-E2. Additional information is available at the CMS Student Placement webpage.

⁵ CMS rules for eligibility for extracurricular activities based on grade point average, course load and daily attendance are provided in Policy JJJ and on the Athletics Department website.

⁶ The rule is in accordance with the rules of the North Carolina High School Athletic Association (NCHSAA).

⁷ Details of the reassignment and transfer processes are provided in Policy JFAC and Regulation JFAC-R.

- i. Medical necessity; or
 - ii. Safety of the student is at imminent risk; or
 - iii. In accordance with the student's Individualized Education Program (IEP); or
 - iv. In order to meet the needs of the student for a specific English Language Learner program.
 - c. A student transfers into a specialized curriculum program at the beginning of the first year of the program's implementation, if the following conditions are met:
 - i. The program must be designated by the superintendent as a specialized curriculum program in which students may maintain athletic eligibility; and
 - ii. The transfer must be approved prior to the first year the program is in operation; and
 - iii. The student must be enrolled in the program at the beginning of the school year; and
 - iv. The student must maintain participation in the program.
 - d. The student is a senior whose school was closed, if:
 - i. During the previous school year, the student attended a CMS high school that has been closed by action of the Board of Education, effective with the current school year; and
 - ii. As a result of the school being closed, the student's home school assignment was changed; and
 - iii. The student enrolls in a magnet or school options program or another school through a transfer or through the School Options Lottery, instead of in his or her new home school.
2. Eligibility for Students Who Remain in their Current Schools After a Change in Their Home School Assignment

If a home school attendance area is changed by the Board, resulting in a student's parent's residence being in the attendance area for a different home school, the student's athletic eligibility for the following school year would typically be at the new home school (as described above in Section B. 1. a. iii.). However, the student may retain athletic eligibility at the current home school if:

 - a. The student is in the ninth or tenth grade at the current home school;⁸ and
 - b. The student is assigned to remain at the current home school either by a transfer or reassignment; and

⁸ When attendance boundary changes result in a change of the assigned home school, students in the 11th grade typically have the option to remain at the same home school for their 12th grade year as their default assignment; therefore this rule is applicable only to ninth and tenth grade students who will be in the eleventh grade the next school year.

- c. At the current home school, the student was and continues to be enrolled in a specialized curriculum program or course that is not available at the new home school.

C. One-Year Ineligibility Period

1. Sit-Out Rule

- a. Except as described above in Section B, if after establishing athletic eligibility at a school in CMS, a high school student enrolls at a different school, magnet or school options program in CMS, he or she will be ineligible for athletic participation for one calendar year (365 days) from the date of the enrollment at the new school. This rule applies when students change schools through the School Options Lottery or through the reassignment/transfer process.
 - b. The sit-out period also applies to students attending schools that house partial magnet or school options programs and whose assignment changes from the magnet or school options program to the non-magnet school program on the same campus, unless the non-magnet program is also the student's home school.
 - c. The sit-out period does not apply to students who change enrollment from one magnet or school options program to another such program on the same school campus.
 - d. The sit-out rule does not apply to a student who is reassigned from his or her home school to a different school within 10 days of the student's initial enrollment in CMS.
2. If, after beginning a 365 day ineligibility period, a student changes schools a subsequent time, enrolling in a school or magnet or school options school that is not the student's home school, an additional 365 day ineligibility period begins upon enrollment in the subsequent new school.

D. Mid-season Change of School

1. A student is prohibited from participating in the same sport at a second CMS school in the same sport season. A student whose home school assignment changes and who is otherwise eligible is immediately eligible to participate in a different sport at the new school.⁹
2. A sports season is defined as the first day of official practice through the last regular season or play-off game in a sport, except for fall sports. For fall sports (for which official practice may start prior to the first day of school) the beginning of the season shall be the first contest date in a

⁹ The student also has the option to remain enrolled in the current school and enroll in the new attendance area school after the end of the season or academic year. The student could thereby continue to participate in athletics at his or her current school.

respective sport or the first official day of school, whichever occurs first.

E. Tuition-Paying Students

Tuition paying students are not eligible to participate in athletics in CMS.

II. Middle School Students

A. Athletic Participation for Middle School Students

1. Middle school students are eligible to participate in interscholastic athletics at any middle school where they are properly enrolled, subject to the following exceptions:
 - a. A middle school student whose 15th birthday is on or before August 31 of a school year is not eligible to participate in athletics during that school year or in subsequent school years while in middle school.
 - b. A middle school student who changes schools mid-season is prohibited from participating in the same sport at a second school in the same sport season, but may immediately participate in a different sport at the new school.
2. A middle school student whose 15th birthday is on or before August 31 of a school year and who is otherwise eligible to participate in interscholastic athletics may participate in athletics at the high school that is the home school for the student's domicile.¹⁰ Participation by a middle school student on a high school team does not affect the student's eligibility if the student is assigned to a different high school upon entering ninth grade.
3. Middle school students who change schools are not subject to the sit-out rule.

B. K-8 Schools

1. A middle school student who is properly enrolled in a K-8 home school may participate in the athletics program at that school. If the home school does not offer a particular sport, the student may participate in that sport at the school designated by the superintendent.
2. A middle school student properly enrolled in a K-8 magnet school that does not have athletic facilities or the enrollment to support an athletics program may participate in athletics at the school designated by the superintendent, which may be the student's home school or a different school.

¹⁰ The middle school student in this situation must also meet all other athletic eligibility requirements in order to participate in high school athletics.

III. Undue Influence**A. Prohibition on Undue Influence by Staff or Others**

1. No staff member or any other person formally or informally associated with a school's athletic program may exercise undue influence with a prospective student-athlete. Nor should those persons request or otherwise induce any third party to exercise undue influence with a prospective student-athlete.
2. Undue influence consists of actions taken for the purpose and intent of soliciting or encouraging the future enrollment of a student-athlete in a school, including but not limited to:
 - a. Initiating or arranging a telephone, telegram, or other written, electronic or social media communication with a prospective student-athlete or member of the prospective student's family;
 - b. Visiting or entertaining a prospective student-athlete or member of the student's family;
 - c. Providing or otherwise arranging transportation for a prospective student-athlete or member of the student's family to visit a school or to meet with anyone associated with a school;
 - d. Attending elementary or middle school games for the purpose of evaluating and recruiting specific prospective student-athletes;
 - e. Requesting that booster club members, students, parents or alumni from a school communicate the merits of the school's athletic program with a prospective student-athlete or member of his/her family by phone, in person, or through letters or other written, electronic or social media communication;
 - f. Initiating any other contact with a prospective student-athlete or member of his/her family for the purpose and intent of soliciting or encouraging the future enrollment of the student in a school.
3. No one employed by CMS or acting on behalf of a school may give a speech or a slide, film or tape presentation to a particular prospective student-athlete or member of his/her family. Those persons may not distribute any written material, such as advertisements in newspapers, magazines or other publications, which state or imply that a school's athletic program is superior to the athletic program of any other school, with the purpose and intent of soliciting or encouraging the enrollment of the student in that school.
4. In the event a student or the student's parent contacts a CMS coach or athletic director of another school team regarding the prospective student attending the school with which the coach is affiliated, the coach must immediately refer the student or parent to the principal.

B. Permissible Contact

A coach or other person associated with a school may have normal and reasonable community contact with a student who attends a middle school that is a feeder to the high school at which the coach or other person is employed.

C. Penalties for Violation

1. Violation by Staff

Staff members who exercise direct or indirect influence upon prospective athletes in an attempt to influence the athlete's choice of school assignment or who otherwise violate any part of this regulation will be subject to disciplinary action up to and including the termination of employment.

2. Violation by Student

A student who allows himself or herself to be recruited by a high school or otherwise violates any part of this regulation shall be subject to the following penalties:

- a. The student may be declared permanently ineligible for interscholastic athletic competition at the school to which the student was recruited;
or
- b. The student may be declared permanently ineligible for interscholastic athletic competition at all CMS schools.

3. Violation by School

A school which violates any provision of this regulation shall be subject to penalties as set forth in rules adopted by the North Carolina High School Athletic Association regarding participation by an ineligible player.