

<b>HENDERSON COUNTY SCHOOL BOARD POLICY</b>	<b>STUDENTS Athletic Participation</b>	<b>470</b>
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## ATHLETIC PARTICIPATION

The Board recognizes the value of interscholastic athletics in promoting leadership and team skills, practicing democratic principles, and encouraging the lifelong learning process. A primary goal of such activities is to teach student character and self-discipline skills that will enable them to develop to their highest potential. Students are encouraged to participate in athletic opportunities available at their school. All athletic activities are open to all students attending that school unless a restriction is justified and has been approved by the principal or they do not meet eligibility requirements.

Participation in interscholastic athletics, is a privilege, not a right, and will be reserved for students in good academic standing who meet behavior standards established by the Board and the school. Participation in interscholastic athletics shall be conducted in accordance with rules and regulations set forth by the North Carolina High School Athletic Association (NCHSAA), the North Carolina Department of Public Instruction (NCDPI), and the Henderson County Board of Public Education. All students are to abide by the policies and *Student Code of Conduct* of the Henderson County Public Schools. Students who violate policies, regulations, or the *Code of Conduct* may be subject to additional consequences, as determined by their school or coach.

It is expected that all athletic teams will have team rules. Each coach is responsible for setting, administering, and enforcing their team rules, which shall align with the policies and procedures of the Henderson County Public Schools. The head coach is responsible for providing team rules to each participant in writing. Each coach shall conduct a meeting with parents and student-athletes, at the beginning of the sports season, to review athletic participation requirements, athletic eligibility requirements, concussion awareness, team rules and sportsmanship pledge.

Because of the public nature of the athletic program at each school, participating students are expected to conduct themselves in a manner that will reflect the high standards and ideals of their school and community. It is the expectation of the Henderson County Public Schools that all students conduct themselves appropriately, realizing that each student represents their school and the school district.

Staff members who exercise direct or indirect influence upon prospective student-athletes in an attempt to influence a student-athlete's choice of school assignment will be subject to disciplinary action up to and including the termination of employment.

### **I. Sportsmanship and Student Conduct**

A participating student who engages in any conduct or behavior, which is inconsistent with the student's position as a role model or representative of their school or school district, is subject to disciplinary action, including suspension.

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Athletic events should be conducted in such a manner that good sportsmanship prevails at all times. Every effort should be made to promote a climate of wholesome competition. Sportsmanship is more important than victory and students, coaches, and spectators should respect the judgment and integrity of officials at all times. The primary purpose of athletics is to promote the physical, mental, moral, social, and emotional well being of the students through the medium of contest. Student-athletes who are penalized in a contest for unsportsmanlike actions will be subject to the North Carolina High School Athletic Association mandated suspension and ejection policy.

**II. In School or Out of School Suspensions**

Students assigned In School Suspension (ISS) or Out of School Suspension (OSS) may not participate in or be in attendance at any athletic event, including athletic practices, whether home or away, during the period of suspension. The suspension does not end until midnight of the last day assigned. A student shall not dress for a game, practice, scrimmage or competition when he/she is not eligible to participate. Dressing and sitting on the bench shall be interpreted as participating in the game.

**III. Tobacco Products**

The use or possession of tobacco products on school grounds, in school buildings and facilities, on school property, or at school related or school sponsored events is detrimental to the health and safety of students and staff. The Henderson County Public Schools and the North Carolina High School Athletic Association emphatically opposes the use of tobacco by students, student-athletes, coaches, and officials. Henderson County Public Schools and grounds are “tobacco free.”

In an effort to reinforce the teaching of the harmful effects of tobacco use and to provide a healthful working environment for employees, students, and the public, the Henderson County Board of Public Education directs that there be no tobacco use by anyone while in its buildings or on its grounds. Furthermore, the Board prohibits the use of tobacco in any vehicles owned or leased by the Henderson County Board of Public Education. *(Reference policy 736)*

Any student found to have used or possessed tobacco will be subject to consequences outlined in the *Student Code of Conduct*, as well as any additional athletic consequences determined at the school level.

**IV. Drugs and Alcohol**

The possession, use, distribution and/or sale of illegal or counterfeit drugs/alcohol, including possession of paraphernalia is not acceptable and prohibited. If school officials receive credible evidence, such as a police report or criminal charges related to a drug or alcohol offense, or have a reasonable suspicion that a violation under this section has occurred, the school officials will investigate. If after investigation of the

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charges, school officials determine that the participating student committed the violation, he/she shall be subject to disciplinary action as outlined below.

If the student has been charged with criminal violation of local, state, or federal laws; then the student shall be subject to the disciplinary actions outlined under **CRIMINAL VIOLATIONS OF LOCAL, STATE AND FEDERAL LAWS**.

If the student has not been charged with a criminal violation, but school officials, after their investigation, have determined that the student committed the violation the student will be held to the following disciplinary action.

- A. First Offense:** The principal will suspend the student for the remainder of that sports season from all athletic activities (practices and contests). The suspension must be for the remainder of that sport season, and must last a minimum of 20 school days. Note: The suspension will carry over into the next sports season if at least 20 days have not been served.
- B. Second Offense:** The principal will suspend the student from all athletic activities for a period of 180 school days from the first day of the offense.
- C. Third Offense:** The principal will suspend the student from all athletic activities for the remainder of his/her middle school career or high school career in the Henderson County Public Schools.

If there are mitigating circumstances, the student may request a review of the evidence surrounding the charge by the Principal. The student is ineligible to participate in athletic activities until the Principal renders a final decision.

Mitigating circumstances may include:

- (1) having no history of disciplinary problems;
- (2) having a significant amount of time pass since the student's last disciplinary problem;
- (3) being a passive participant or playing a minor role in the offense;
- (4) reasonably believing the conduct was legal;
- (5) acting under strong provocation;
- (6) aiding in the discovery of another offender;
- (7) making a full and truthful statement admitting guilt at an early stage in the investigation of the offense;
- (8) displaying an appropriate attitude and giving respectful cooperation during the investigation and discipline process; or mitigating circumstances do NOT exist solely because of demonstrated prowess in a sport or activity or the potential of scholarships or grants in aid.

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**V. Review Procedure for Drugs and Alcohol Violation**

A student may request a review of the disciplinary action by providing written notice to the Principal within two (2) school days of the date of the Principal’s notification to the student and/or parent. The notice shall state the reason for the review.

The Principal will review the record of the disciplinary action and issue a decision within five (5) school days of receipt of the request for review. The Principal will inform the student and parent of the decision of whether to uphold, modify, or overturn the disciplinary action in writing. The decision of the Principal shall be final.

Any disciplinary action, including suspension from participation, will remain in effect during the review process.

Failure by the student to adhere to appeal content requirements and timelines as set forth will result in immediate dismissal of the appeal.

**VI. Criminal Violations of Local, State and Federal Laws**

Student-athletes are required to report all violations of the law to their head coach, Athletic Director and Principal. Failure to notify the appropriate staff will result in immediate removal from athletic activities. Students charged with a criminal offense, misdemeanor or felony, other than a minor traffic/moving violation, will be suspended from participation as outlined below.

- A.** Any student who is charged with a felony or a Class AI or Class I misdemeanor or is petitioned for an offense that would be a felony or a Class AI or Class I misdemeanor if committed by an adult, will be removed from all current teams and will remain ineligible until such time as the courts render the findings in the case. Pleas of “No Contest” or as part of a deferred prosecution or “Prayer for Judgment Continued” (PJC) will be considered convictions for purposes of these guidelines.

If there are mitigating circumstances, the student may request a review of the evidence surrounding the charge by the Superintendent or his designee. The student is ineligible to participate in athletic activities until the Superintendent or his designee renders a final decision.

Mitigating circumstances may include:

- (1) having no history of disciplinary problems;
- (2) having a significant amount of time pass since the student’s last disciplinary problem;
- (3) being a passive participant or playing a minor role in the offense;

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- (4) reasonably believing the conduct was legal;
  - (5) acting under strong provocation;
  - (6) aiding in the discovery of another offender;
  - (7) making a full and truthful statement admitting guilt at an early stage in the investigation of the offense;
  - (8) displaying an appropriate attitude and giving respectful cooperation during the investigation and discipline process; or mitigating circumstances do NOT exist solely because of demonstrated prowess in a sport or activity or the potential of scholarships or grants in aid.
- B.** Any student-athlete who is convicted of a felony or is adjudicated delinquent for an offense that would be a felony if committed by an adult is barred from participation in interscholastic athletics for the remainder of his/her high school career per NCHSAA guidelines.
- C.** Students found guilty of a Class AI or Class I misdemeanor or are adjudicated delinquent for an offense that would be a felony if committed by an adult are not eligible to participate in teams and/or activities for 180 school days from the day the student was charged.
- D.** Any student charged with a Class II or III misdemeanor or is petitioned for an offense that would be a Class II or III misdemeanor if committed by an adult will be removed from all current teams and/or activities and will remain ineligible until such time as the courts render findings in the case. Pleas of “No Contest” or as part of a deferred prosecution or “Prayer for Judgment Continued” (PJC) will be considered convictions for purposes of these guidelines.

If there are mitigating circumstances, the student may request a review of the evidence surrounding the charge by the Principal. The student is ineligible to participate in athletic activities until the Principal renders a final decision.

Mitigating circumstances may include:

- (1) having no history of disciplinary problems;
- (2) having a significant amount of time pass since the student’s last disciplinary problem;
- (3) being a passive participant or playing a minor role in the offense;
- (4) reasonably believing the conduct was legal;
- (5) acting under strong provocation;
- (6) aiding in the discovery of another offender;

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- (7) making a full and truthful statement admitting guilt at an early stage in the investigation of the offense;
- (8) displaying an appropriate attitude and giving respectful cooperation during the investigation and discipline process; or mitigating circumstances do NOT exist solely because of demonstrated prowess in a sport or activity or the potential of scholarships or grants in aid.

**E.** Students found guilty of a Class II or III misdemeanors or are adjudicated delinquent for an offense that would be a Class II or III misdemeanor if committed by an adult are not eligible to participate in teams and/or activities for 90 school days from the day the student was charged.

Students who are found not guilty will be eligible for reinstatement to the team.

**F.** Affected students and their parents will be informed in writing by the school regarding all decisions and actions taken relative to these guidelines.

**G.** No student who is disqualified from interscholastic athletic competition shall be permitted to participate in the interscholastic athletic program of another school within the school district during the period of suspension.

**VII. Review Procedure for Criminal Violations**

**A. Felony or a Class AI or Class I Misdemeanor**

A student may request a review of the disciplinary action by providing written notice to the Superintendent or his designee within two (2) school days of the date of the Principal’s notification to the student and/or parent. The notice shall state the reason for the review.

The Superintendent, or his designee, will review the record of the disciplinary action and issue a decision within five (5) school days of receipt of the request for review. The Superintendent or his designee will inform the student and parent of the decision of whether to uphold, modify, or overturn the disciplinary action in writing. The decision of the Superintendent shall be final.

Any disciplinary action, including suspension from participation, will remain in effect during the review process.

Failure by the student to adhere to appeal content requirements and timelines as set forth will result in immediate dismissal of the appeal.

**B. Class II or Class III Misdemeanor**

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A student may request a review of the disciplinary action by providing written notice to the Principal within two (2) school days of the date of the Principal's notification to the student and/or parent. The notice shall state the reason for the review.

The Principal will review the record of the disciplinary action and issue a decision within five (5) school days of receipt of the request for review. The Principal will inform the student and parent of the decision of whether to uphold, modify, or overturn the disciplinary action in writing. The decision of the Principal shall be final.

Any disciplinary action, including suspension from participation, will remain in effect during the review process.

Failure by the student to adhere to appeal content requirements and timelines as set forth will result in immediate dismissal of the appeal.

**VIII. Hazing and Initiations**

Hazing is defined as deliberately subjecting another person to physical injury as part of an initiation or prerequisite for membership... (HB 171) and it is against North Carolina law (G.S. 14.35). Regardless of a student's willingness to participate, hazing and other humiliating activities expected of a student to belong to a team or group, have many negative consequences. Incidents of hazing could lead to short-term suspension, long-term suspension, or even expulsion, depending on the severity of the act. Such an incident would also have athletic consequences as outlined above.

**IX. Academic Eligibility**

All students in the Henderson County Public Schools are to be encouraged to seek and maintain the highest possible academic achievement. Athletics is recognized as an important and beneficial adjunct to the educational experience of students. However, the first priority must be given to their academic performance.

Effective with the 2014-15 school year, in order for students to participate in athletics they must meet the following scholastic requirements:

Middle School: The student-athlete must have passed three core courses and have earned a grade point average of 2.0 during the preceding semester to be eligible.

High School 4X4 Block: The student-athlete must have passed three courses and have earned a grade point average of 2.0 during the preceding semester to be eligible.

High School Traditional: The student-athlete must pass five courses and have earned a grade point average of 2.0 during the preceding semester to be eligible.

The 2.0 grade point average eligibility rule will be waived for students identified as Exceptional Children (EC) and for students identified as Limited English Proficient (LEP) or English Learners (EL), if their Individual Education Program (IEP) or Limited English Proficient Student Plan (EL Language Plan) goals are being met;

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they are making satisfactory progress in their classes; and they have received a recommendation from the school principal.

The grade point average will be an un-weighted average and will be calculated using final semester and/or course grades.

A student may participate in an athletic activity only if (1) the student is currently enrolled in at least one-half of the minimum academic course load, and (2) the student was in attendance at school that day for at least one-half of the instructional day.

A student-athlete, upon first entering the ninth grade, is academically eligible for competition on high school teams.

Effective with the 2016 – 2017 school year Winter sports season, a student-athlete, upon first entering the sixth grade, is academically eligible for competition on middle school teams.

High School student-athletes who attend summer school and receive recovered course credit will have credit count during the semester the course was taken. High School student-athletes who attend summer school and receive new course credit will have credits count toward the preceding semester.

**X. Residence Eligibility (reference Policy 410)**

A student transferred by the Superintendent or his designee or by the School Board from one high school to another forfeits, for one year, athletic eligibility in any sport in which the student was on the eligibility roster at their former high school during the immediately preceding year to the transfer approval. A student transfer occurs when a student transfers out of or back into their domicile district. Eligibility is restored one year from the date of the original approval of the transfer request. This policy shall not prohibit a student from participating in any other high school athletic sport where the student was not on the eligibility roster of that sport in the previous year at their previous high school.

Please note that a student who makes a bona fide change in their domicile (residence) is eligible to participate upon enrollment. Under no circumstance can a student have more than one domicile (residence). It is the obligation of each school to know the domicile of each athlete and to require compliance. “Residence” is defined as the equivalent of the term “domicile” as applied by the courts of North Carolina.

Except as otherwise provided, the domicile (residence) of the student shall be deemed to be that of his or her parents or the sole surviving parent. In the event the parents are separated or divorced, the domicile (residence) of the student shall be that of the parent to whom custody has been awarded by the court. If no custody order has been entered, the domicile (residence) shall be deemed to be that of the parent who has actual custody immediately upon the separation.



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Any change in domicile must be bona fide. In order for a change of domicile to be considered bona fide at least the following facts must exist: (1) The original residence must be abandoned as a residence; that is sold, rented or disposed of as a residence, and must not be used as residence by any member of the family; (2) The entire family must make the change and take with them the household goods and furniture appropriate to the circumstances; (3) The change must be made with the intent that it is permanent. Failure to comply may result in the loss of the student's athletic eligibility, for one year, at any Henderson County Public High School, in any sport in which the student was on the eligibility roster.