

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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**SENATE BILL 171
House Committee Substitute Favorable 8/31/05**

Short Title: Academic Performance and Athletics Issues.

(Public)

Sponsors:

Referred to:

February 21, 2005

A BILL TO BE ENTITLED

1 AN ACT DIRECTING THE JOINT LEGISLATIVE EDUCATION OVERSIGHT
2 COMMITTEE TO STUDY THE IMPACT OF STUDENT MOBILITY ON
3 ACADEMIC PERFORMANCE AND TO PERMIT THE FORMATION OF
4 SMALL SCHOOL CONFERENCES IN CERTAIN COUNTIES.
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6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** The Joint Legislative Education Oversight Committee shall
8 study the impact of student mobility on academic performance. In the course of the
9 study, the Committee shall consider:

- 10 (1) The mobility rates of different student populations, especially those at
11 risk of academic failure, and the relationship between high mobility
12 rates and student performance for different student populations;
13 (2) Impediments to receiving a sound basic education that are a product of
14 high mobility rates; and
15 (3) Strategies for meeting the needs of students who move frequently,
16 especially students at risk of academic failure.

17 The Committee shall report the results of its study to the 2006 Regular
18 Session of the 2005 General Assembly.

19 **SECTION 2.(a)** The General Assembly recognizes the importance of
20 student participation in interscholastic athletics for developing leadership and team
21 skills, building character, and promoting healthy lifestyles. The General Assembly
22 believes that fair competition is a prerequisite to achieving these goals and encouraging
23 student participation in athletics. The General Assembly finds that:

- 24 (1) The level of fair competition is greatly reduced when small schools are
25 forced to compete with much larger schools rather than schools of
26 comparable size.
27 (2) Unfair competition discourages the development of strong athletic
28 programs in small schools and could place athletes from small schools
29 in greater risk of injury.

1 (3) The health and safety of student athletes is of the utmost importance.

2 (4) Small schools should not be forced to compete in a conference of
3 much larger schools when a conference of small schools is viable and
4 desired.

5 (5) The unique geography of coastal counties is an important
6 consideration.

7 **SECTION 2.(b)** If at least five small high schools within a geographic
8 region of the North Carolina High School Athletic Association (NCHSAA) decide to
9 form a small school conference within the NCHSAA framework, the NCHSAA shall
10 permit the creation of such small school conference. For purposes of this section, a
11 "small school" shall mean a secondary school with an average daily membership of 300
12 students or less, and a "small school conference" shall mean an athletic conference
13 consisting only of small schools. Such small school conference shall be open to any
14 small school that is a member school of the NCHSAA and is located in that geographic
15 region.

16 **SECTION 2.(c)** A small school conference created under this section shall
17 be afforded all rights and privileges granted to other NCHSAA conferences. A small
18 school that opts to join such a small school conference shall be afforded all rights and
19 privileges granted to other NCHSAA schools. No school or entity shall discriminate or
20 retaliate against a small school that opts to join a small school conference.

21 **SECTION 2.(d)** A small school conference may be created for the
22 2005-2006 school year provided the NCHSAA is notified no later than September 15,
23 2005. Schools joining a small school conference by that date may withdraw, without
24 penalty, from any scheduling contracts previously entered into for the 2005-2006
25 season.

26 **SECTION 2.(e)** This section applies notwithstanding G.S. 115C-12(23) and
27 applies only to schools located in Dare, Hyde, Martin, Tyrrell, or Washington Counties.

28 **SECTION 3.** This act is effective when it becomes law.