

Policy Code: 3621 Ineligibility Suspensions from Athletic and Extra-Curricular Activities Due to Criminal Behavior upon Charge of a Crime

Participation in athletics and extra-curricular activities is a privilege, not a right. Students who participate in athletics and extra-curricular activities choose to do so, and as a result, those students are expected to make many proper choices as they represent themselves, their families, their school, and their community at all times, not just on the field of competition. A student's eligibility to participate in athletics and extra-curricular activities is dependent upon compliance with all applicable board policies, rules and regulations. This policy shall apply to both on and off campus behavior as set forth herein.

A. Felonies

Therefore, notwithstanding any other board of education policy, in the event any a student who is charged with a crime classified as a felony under North Carolina or federal law or alleged to be delinquent for an offense that would be a felony if committed by an adult, and school officials have a reasonable suspicion that a violation of this policy has occurred, the Superintendent, or designee, may further investigate said charges. If after investigating any alleged violation, and upon a determination by the Superintendent, or designee, by a preponderance of the evidence that a violation has occurred, the student shall immediately be ineligible to participate on a school athletic team/extra-curricular activities for a period of time to be determined by the Superintendent, or designee, not to exceed 30/60 school days. 180 school days. (OR DO WE INSERT A PREDETERMINED AMOUNT OF DAYS OR A CERTAIN NUMBER OF ATHLETIC CONTESTS OR EXTRA CURRICULAR EVENTS?) In the event the criminal charges or allegation of delinquency are dismissed, or the student is found not guilty, said student shall be fully reinstated to athletic and/or extra-curricular activities immediately. Additionally, in the event the student actively participates in a mentoring or support treatment program as recommended and/or approved by the superintendent, or designee, and the student remains in good academic and disciplinary standing during the term of the days of ineligibility, including, but not limited to, minimum disciplinary referrals, the 30/60 180 school days of ineligibility suspension may shall be reduced to 15/30 90 school days, as determined by the Superintendent, or designee.

Additionally, Pursuant to the North Carolina High School Athletic Association ("NCHSAA"), any student who (1) is convicted of a crime classified as a felony under North Carolina or Federal law; or (2) or is adjudicated delinquent ("convicted" in juvenile court) for an offense that would be a felony if committed by an adult shall be ineligible is not eligible to participate on a school athletic team/extra-curricular activities from the date of conviction or adjudication of delinquency through the end of the student's high school career. In a similar manner, a middle school student will be declared ineligible for athletic participation/extra-curricular activities through the end of his/her middle school career and will be subject to review by the superintendent or principal for reinstatement of eligibility for such activities upon entering high school.

B. Misdemeanors

Therefore, notwithstanding any other board of education policy, any student who is ~~convicted of~~ ~~charged with~~ a crime classified as a misdemeanor under North Carolina or federal law or ~~adjudicated/alleged~~ to be delinquent for an offense that would be a misdemeanor if committed by an adult, shall immediately be ineligible to participate on a school athletic team/extra-curricular activities as set forth below:

Class 3 Misdemeanor	15 school days
Class 2 Misdemeanor	30 school days
Class 1 Misdemeanor	<u>30</u> 45 school days
Class A1 Misdemeanor	<u>45</u> 60 school days

For Class 2 and Class 3 misdemeanors convictions or adjudications of delinquency, the Superintendent, or designee, may declare said student immediately ineligible to participate on a school athletic team/extra-curricular activities for no more than 30 school days. In reaching said determination the Superintendent, or designee, shall consider all aggravating and mitigating circumstances and shall further consider the student's intent, disciplinary and academic history and the potential benefits to the student of alternatives to ineligibility.

In the event the criminal charges or allegation of delinquency are dismissed, or the student is found not guilty, said student shall be fully reinstated to athletic and/or extra-curricular activities immediately.

C. General Rules

If a student's athletic or extra-curricular ~~ineligibility suspension~~ occurs such that the time period of ~~ineligibility suspension~~ cannot be served to completion during the current school year, any days of ~~ineligibility suspension~~ remaining at the end of the current school year shall be served at the beginning of the next school year. Students who participate in athletics or extra-curricular activities can apply actual practice and game dates when school is not in session towards their ~~ineligibility suspension~~ period. Students ~~that are ineligible/suspended~~ from athletics/extra-curricular activities are prohibited from involvement in any team/club practices, games or similar activities during the ~~ineligibility suspension~~ period.

If a student's athletic or extra-curricular ~~ineligibility suspension~~ occurs such that the time period of ~~ineligibility suspension~~ cannot be served to completion during the current athletic or extra-curricular season, any days of ~~ineligibility suspension~~ remaining at the end of the current athletic or extra-curricular season shall be served at the beginning of the next athletic or extra-curricular season and it shall be in the coach's or faculty sponsor's sole discretion to allow the student to return to the athletic team/extra-curricular activity mid-season once the days of ~~ineligibility suspension~~ have been served.

In the event a student is charged with multiple offenses on the same day or as a result of the same event, said student will receive a period of ~~ineligibility suspension~~ based on the highest level of criminal charge for which the student is charged. (Example: if a student is charged with a Class 3 misdemeanor and Class 1 misdemeanor, the days of suspension shall be 30~~45~~ school days.)

Any subsequent criminal charges filed against the student will result in additional days of ~~ineligibility suspension~~ consistent with this policy, in addition to any days of ~~ineligibility suspension~~ previously imposed. (Example: if a student is charged with a Class 1 misdemeanor and receives a ~~3045~~ school day ~~ineligibility suspension~~ and the student is subsequently charged with a Class 3 misdemeanor for an unrelated incident, said student ~~may will~~ receive up to an additional ~~3045~~ school days of ~~ineligibility as determined by the Superintendent, or designee suspension~~.) All days of ~~ineligibility suspension~~ shall be served consecutively as opposed to concurrently.

Transferring from one school to another does not relieve the student from the consequences for a violation of this rule. Should a student choose to transfer outside of the Thomasville City Schools, the designated school administrator or the school athletic director will contact the new school to inform them of the violation and the resulting penalty. The Thomasville City Schools may also honor the activity consequences from other private or public school systems.

This policy shall apply at all times during the school year and at any other time when said conduct has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of school activities and the safety of individuals in the school activity or environment, year round, 365 days a year, including but not limited to between semesters and during the summer break in the school calendar.

The board of education delegates to the superintendent the authority to act in circumstances in which the board has not provided policy statements to guide administration action or in the case of extraordinary circumstances. The superintendent shall render a decision subject to final approval by the board of education.

Any student who is deemed ineligible for athletics or extra-curricular activities pursuant to this policy may request an appeal to the superintendent pursuant to and consistent with policy 1740/4010, Student and Parent Grievance Procedures. Any final administrative decision made pursuant to this policy may be appealed to the Board of Education pursuant to N.C.G.S. 115C-45.

Legal References: G.S. 115C-45

Cross References: Student and Parent Grievance Procedures (policy 1740/4010), Extracurricular Activities and Student Organizations (policy 3620)

Adopted: August 4, 2015

Thomasville City Schools