

WEST VIRGINIA
SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #5

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FILED IN THE OFFICE OF
THE SECRETARY OF STATE
THIS DATE July 31, 1991
ADMINISTRATIVE LAW DIVISION

NOTICE OF AGENCY ADOPTION OF A PROCEDURAL OR INTERPRETIVE RULE
OR A LEGISLATIVE RULE EXEMPT FROM LEGISLATIVE REVIEW

~~AGENCY~~ West Virginia Secondary School Activities Comm TITLE NUMBER: 127

CITE AUTHORITY: _____

RULE TYPE: PROCEDURAL _____ INTERPRETIVE _____

EXEMPT LEGISLATIVE RULE _____
CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

AMENDMENT TO AN EXISTING RULE: YES X, NO _____

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 2

TITLE OF RULE BEING AMENDED: Residence-Transfer Part B Transfer

IF NO, SERIES NUMBER OF NEW RULE BEING ADOPTED: _____

TITLE OF RULE BEING ADOPTED: _____

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE
EFFECTIVE DATE OF THIS RULE IS August 31, 1991

TITLE 127
LEGISLATIVE RULES
WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION

SERIES 2
ATHLETICS, PROVISIONS GOVERNING ELIGIBILITY

SECTION 127-1-1. General

1.1 Scope - These rules establish the provisions governing student eligibility to participate in interscholastic athletics.

1.2 Authority - WV Code 18-2-25

1.3 Filing Date -

1.4 Effective Date -

1.5 Repeal of Former Rule - Amends existing rule

SECTION 127-2-7. Residence-Transfer

Revision 7.16 and 7.17

Part B - Transfer

7.15. A student becomes immediately eligible, providing he is otherwise eligible, when parents make a bona fide change of residence to a new school zone. Change of residence is defined as an actual physical relocation of the family to a different residence with the intent to reside indefinitely and terminate all occupancy of their previous residence.

7.16. If a student transfers from a secondary school in one zone to a secondary school in another zone, said student shall be ineligible for a period of ~~120 instructional days~~ 365 calendar days unless the parents become residents of the district to which the student transfers. Students transferring out of attendance zone shall immediately forfeit eligibility in their home zone.

7.17. Students who transfer to or from a member school shall be ineligible for a period not to exceed ~~one hundred twenty(120) instructional days~~ three hundred sixty-five (365) calendar days unless the parents move from one public school zone to another public school zone in conjunction with transfer of schools. Students may, during this bona fide change in residence, transfer to either a member public or a member non-public school without penalty. However, if the transfer is from a non-member private school to a public school in the zone where the student's parents reside, a student is eligible providing: (1) the student is enrolling in a member school

#1988 Revision 7.21
#1990 Revision 7.20

for the first time; (2) the principals of both private and public schools involved concur that undue influence is not involved with the transfer; (3) and the student transfer take place no later than the first ten (10) days of the first semester.
with the transfer; (3) and the student transfer take place no later than the first ten (10) days of the first semester.

7.18. A student may be transferred from one school zone to another zone within the same county by a county Board of Education and maintain eligibility. The transfer must be initiated by County Board of Education personnel to fulfill certain special program(s) not available in the school zone from which the student is transferred. A WVSSAC transfer form must be completed on the student, indicating approval by the Principals of the involved schools. Upon the completion of the special program the student must return to the school zone of his residence.

7.19. The Commission does not recognize emancipated status as relates to transfer except as might occur in marriage and relocation to another school zone.

7.20. A transfer student may not compete in any athletic contest until the WVSSAC Athletic Transfer Form has been filed with the WVSSAC office.

7.21. "The Board of Appeals is authorized to grant exceptions to the Residence and Transfer Rule when it feels the rule fails to accomplish the purpose for which it is intended and when the rule works extreme and undue hardship upon the student."