

WEST VIRGINIA
SECRETARY OF STATE

JOE MANCHIN, III

ADMINISTRATIVE LAW DIVISION

Form #5

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2002 JUN -7 P 3:46

OFFICE WEST VIRGINIA
SECRETARY OF STATE

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

AGENCY: West Virginia Secondary School Activities Commission TITLE NUMBER: 127

CITE AUTHORITY: W.Va. Constitution, Article XII, §2, W.Va. Code §18-2-25

RULE TYPE: PROCEDURAL _____ INTERPRETIVE _____

EXEMPT LEGISLATIVE RULE X

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

W.Va. Code §§29A-3B-1, et seq.; W.Va. Board of Education
v. Hechler, 180 W.Va. 451; 376 S.E.2d 839 (1988).

AMENDMENT TO AN EXISTING RULE: YES X NO ___

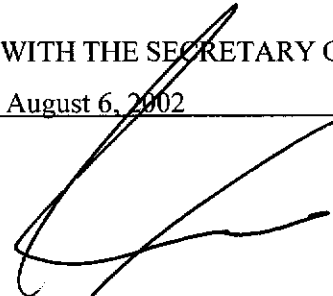
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 2

TITLE OF RULE BEING AMENDED: Athletics, Provisions Governing Eligibility

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

TITLE OF RULE BEING PROPOSED: _____

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE
EFFECTIVE DATE OF THIS RULE IS August 6, 2002



William J. Luff, Jr.
Deputy State Superintendent of Schools

SCANNED

**EXECUTIVE SUMMARY
WEST VIRGINIA BOARD OF EDUCATION**

WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION RULES

Comment period ends: June 3, 2002.

Background: These amendments are required to keep the West Virginia Secondary School Activities Commission current with regard to changes, trends and issues in the band and athletic programs.

Recommendations: It is the Department's recommendation that all proposals be approved with the exception of the following:

- Proposal One - This proposed amendment would change the boundaries of districts from five to eight.
- Proposal Sixteen - This proposed amendment would allow a coach to receive a lifetime pass with twenty years of coaching.
- Proposal Twenty-three - This proposed amendment would require three classifications in all sports.

Minor editorial revisions such as formatting - to be compliant with the Secretary of State's office, and gender preference - SSAC preference, were made.

PROPOSAL 1

Amend §127-1-5 Administration (pg. 2) as follows:

5.4 The Board of Control of the West Virginia Secondary School Activities Commission shall delegate and assign to the Board of Appeals Directors, hereinafter constituted, the ~~power and authority to define, devise and/or create five (5)~~ eight (8) administrative districts in the State of West Virginia:

(a) Effective July 1, ~~1974~~ 2002, and until such time as it is necessary to change the boundaries of such districts, the ~~five (5)~~ eight (8) administrative districts shall be as follows:

- (1) First District: ~~Brooke, Calhoun, Doddridge, Gilmer, Hancock, Harrison, Marion, Marshall, Ohio, Taylor, Tyler and Wetzel. Mercer, Monroe, McDowell, Raleigh, Summers, Wyoming.~~
- (2) Second District: ~~Barbour, Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral, Monongalia, Morgan, Pendleton, Preston, Randolph, Tucker, and Upshur. Cabell, Lincoln, Logan, Mason, Mingo, Wayne.~~
- (3) Third District: ~~Boone, Braxton, Clay, Kanawha, Lewis, Nicholas, Putnam and Roane. Boone, Clay, Kanawha, Putnam~~
- (4) Fourth District: ~~Cabell, Jackson, Lincoln, Logan, Mason, Pleasants, Ritchie, Wayne, Wirt and Wood. Braxton, Fayette, Greenbrier, Nicholas, Pocahontas, Webster.~~
- (5) Fifth District: ~~Fayette, Greenbrier, Mercer, Mingo, McDowell, Monroe, Pocahontas, Raleigh, Summers, Webster and Wyoming. Calhoun, Jackson, Pleasants, Ritchie, Roane, Tyler, Wirt, Wood.~~
- (6) Sixth District: Brooke, Hancock, Marshall, Ohio, Wetzel.
- (7) Seventh District: Barbour, Doddridge, Gilmer, Harrison, Lewis, Marion, Monongalia, Preston, Randolph, Taylor, Tucker, Upshur.
- (8) Eighth District: Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral, Morgan, Pendleton.

PROPOSAL 2

Amend 127-1-5 Administration (pg. 2) as follows:

5.4(b) Any change in the boundaries of said administrative districts adopted by the Board of Appeals Directors shall be submitted for approval to the Board of Control at the annual meeting. ~~Such adopted change may be remanded to the Board of Appeals for further study and action only by a two thirds (2/3) vote of the members of the Board of Control present and voting at the annual meeting. If the adopted change in boundaries is not remanded for further study and action, it shall be considered approved. Said change requires two thirds (2/3) affirmative vote of the members present and voting at the annual Board of Control meeting.~~

PROPOSAL 3

Amend 127-1-6 Officers and Duties (pg. 3) as follows:

6(d) An elected officer-member shall be eligible to serve two (2) regular five (5) year terms in succession. Upon completion of the two successive terms, a former officer-member shall not be appointed to nor elected to fill a vacancy of an unexpired term during the five (5) year period immediately following the expiration of his regular term. ~~An alternate officer member who serves more than one (1) year of an officer member's unexpired term shall be eligible to be elected to the next succeeding regular five (5) year term. Serving more than one half of an unexpired five (5) year term shall constitute one of the two permitted successive terms.~~

PROPOSAL 4

Amend 127-1-8 Board of Appeals as follows:

§127-1-8 Board of Appeals. Directors.

PROPOSAL 5

Amend 127-1-11 Executive Secretary (pg. 6) as follows:

§127-1-11 Executive Secretary. Director.

PROPOSAL 6

Amend 127-1-11 Executive Secretary (pg. 6) as follows:

11.3 The Executive Secretary Director shall serve ~~during~~ at the will and pleasure of the Board of Appeals but shall not be removed during his/her ~~the~~ term of office contract period except for just and reasonable cause. ~~Inefficiency, failure to carry out duties hereinafter set forth shall be deemed sufficient cause for removal of the Executive Secretary. Reasonable cause may include, but not be limited to the following: immorality, incompetency, cruelty, insubordination, intemperance, willful neglect of duty, unsatisfactory performance, the conviction of a felony or a guilty plea or a plea of nolo contendere to a felony charge.~~

PROPOSAL 7

Amend 127-1-12 Duties of the Executive ~~Secretary~~ Director (pg. 6) as follows:

- 12.1(b) Based on employee evaluations and/or employee performance, the Executive Director shall make the appropriate recommendation of the employment status of all other employees.

PROPOSAL 8

Amend 127-2-3 Enrollment and Team Membership (pg. 9) as follows:

- 3.2(e) students at a junior high or middle feeder school who are not provided the opportunity to participate because of age may move up to their high school if granted permission by the county board of education or governing body of a private/parochial school and the school principals involved.

PROPOSAL 9

Amend 127-2-3 Enrollment and Team Membership (pg. 10) as follows:

- 3-5 Students enrolled in the ninth grade of a four, five or six year high school may participate on the high school team. Also, ninth graders of a feeder school may participate on their high school team if granted permission by the county or governing body of a private/parochial board of education and the school principals involved. However, once a student becomes a member of that team said student will be ineligible for the junior high team in that sport.

- 3.2(d) Students enrolled in the ninth grade of a four, five or six year high school may participate on the high school team. Also, ninth graders of a feeder school may participate on their high school team and sixth grade students of a K-6 elementary feeder school may participate on their junior high team if granted permission by the county board of education or governing body of a private/parochial school and the school principals involved. Once a ninth grade student becomes a member of the high school team said student will be ineligible for the junior high team in that sport.

PROPOSAL 10

Amend 127-2-5 Semester and Season (pg. 10) as follows:

- 5.03(c) ~~The Board may also assess appropriate penalties to the student athlete or to the school if said Board determines through its investigation that said student athlete or said school did try to evade the rule by subterfuge.~~ In no event may a student be allowed to participate in more than four (4) seasons in any one sport in grades 9-12.

PROPOSAL 11

Amend 127-2-6 Scholarship (pg. 11) as follows:

- 6.1(a) ~~Two of those four full credit subjects must be in English Language Arts, Social Studies, Mathematics or Science and may or may not be in the same area. A semester course that constitutes 8100 minutes of instruction (block schedule) will count as two subjects.~~

PROPOSAL 12

Amend 127-2-6 Scholarship (pg. 11) as follows:

- 6.1(b) ~~if a student has completed all state, county and school requirements for graduating, he or she~~ The student may select four full credits from any area of the curriculum offered by the school.

PROPOSAL 13

Amend 127-2-7 Residence-Transfer (pg. 11) as follows:

- 7.14 ~~g(f) Nine months at the new residence will be required to make it a bona fide move. If a family moves into a new school zone and remains there for less than nine months, the move will not be considered bona fide and the family's child who is enrolled and participating in athletics in the new school zone becomes ineligible there the day the family leaves the new school zone.~~

PROPOSAL 14

Amend 127-2-7 Residence-Transfer (pg. 11) as follows:

- 7.2217 (a) if there has been a divorce in a family and sole custody has been awarded by the court granting the divorce to one of the parents, the athletic eligibility of the student will be established at the school that serves the area where that parent resides. The eligibility of a student whose parents are divorced or legally separated by court decree is determined by establishing initial residency with one parent.

PROPOSAL 15

Amend 127-2-7 Residence-Transfer (pg. 11) as follows:

- 7.2217 (b) ~~If joint custody has been awarded, the student will be eligible in the zone where either parent resides. After establishing initial residency with one parent, all subsequent transfers will require a period of ineligibility for the remainder of that school year unless a change of residency is decreed by the court.~~

PROPOSAL 16

Amend 127-3-6 Coaches (pg. 16) as follows:

- 6.86 All coaches and athletic directors of member schools ~~who upon retirement from a member school~~ with at least 20 years of service either as a coach, athletic director or combination of coaching and athletic director shall receive a lifetime WVSSAC Courtesy and Identification Card. This card shall allow admittance to any WVSSAC sponsored event. This admittance will be by presentation of the WVSSAC Courtesy and Identification Card and photo identification.

PROPOSAL 17

Amend 127-3-7 Camps/Out-of-Season Coaching (pg. 18) as follows:

- 7.1 ~~School organized out-of-season practice or school-organized summer camps shall not be permitted. related activities shall only be permitted with principal approval during Weeks 50, 51, and 52 of the National Federation Standardized Calendar. Participation by students must be open to all students, voluntary, and not required directly or indirectly for membership on a school team. Participation by students during these weeks does not meet Practice Rule 127-2-13.4.~~

PROPOSAL 18

Amend 127-3-7 Camps/Out-of-Season coaching (pg. 18) as follows:

- 7.2 A coach or surrogate principal designee of each sport or activity may not be present as an observer, lecture participant, staff member, or in any capacity at any summer camp where ~~the number of his athletes (students who would be under his supervision the next season in that sport) exceeds fifty percent of the number of persons designated as the starting line up or cheerleading squad (i.e. basketball two or less; football five or less; wrestling seven or less; baseball four or less; etc.)~~ Nor may a school or related organization be involved in fund raising projects to subsidize student attendance at or in camps during Weeks 50, 51, and 52 of the National Federation Standardized Calendar.

PROPOSAL 19

Amend 127-3-8 Forfeit and Restitution (pg. 19) as follows:

- 8.3 If a team or individual student participating in an individual contest leaves the field or court playing area in protest and fails to complete the contest, the contest is forfeited and the school principal or his designee and the violator must appeal may be required to appear before the Executive ~~Secretary~~ Director to indicate why additional action should not be taken.

PROPOSAL 20

Amend 127-3-9 Game Officials (Does Not Apply to Cheerleaders) (pg. 19) as follows:

- 9.3 ~~The visiting school is responsible for selection of game officials to the extent that selection is made possible by mutual agreement. The initiative is placed upon the host school by the rules. However, if names are not submitted in accordance with the rules, the visiting school should take steps to secure agreement upon satisfactory officials. The host school initiates the selection of game officials. It is highly recommended that the host school contract officials for all interscholastic contests. Contractual agreements are between the school and the official.~~

PROPOSAL 21

Amend 127-3-10 Classifications (pg. 20) as follows:

- 10.1 ~~Classification of member high schools shall be determined every two years on the even number years. Such classification shall be based on the enrollment of grades 10-11-12 at the end of the second month of the odd numbered year preceding the reclassification. Such classification shall remain in effect for a two period.~~ Each member high school shall be classified as either AAA, AA, or A based on the enrollment figures in grades 9-10-11 at the end of the second school month of the odd numbered year preceding the classification.

PROPOSAL 22

Amend 127-3-10 Classification (pg. 20) as follows:

- 10.2 ~~Each member high school shall be classified as either AAA, AA, or A based on the enrollment figures as described in subsection 10.1 above.~~
Classification of member high schools shall be determined every four years on the even numbered years and will remain in effect for a four year period unless a 20% change in enrollment using State Department of Education enrollment figures at the end of the second school month. Change of classification due to 20% change in enrollment would not go into effect until the next school year.

PROPOSAL 23

Amend 127-3-10 Classification (pg. 20) as follows:

- 10.4 The Board of Appeals ~~may~~ shall structure the WVSSAC tournament series in each sport by classification (AAA-AA-A). Each sport will be structured according to the level of interest and accommodation for tournament alignment. Prior to any change of structure of any given sport, a survey of the membership must be conducted by WVSSAC.

PROPOSAL 24

Amend 127-3-12 Legal Opponents (pg. 21) as follows:

- 12.1 ~~Member schools of the West Virginia Secondary School Activities Commission shall not participate in any interscholastic athletic contest, meet or tournament with any West Virginia public or parochial secondary school which is not a member of this Commission.~~

PROPOSAL 25

Amend 127-3-12 Legal Opponents (pg. 21) as follows:

- 12.4-3 Member schools of the West Virginia Secondary School Activities Commission shall not participate in any interscholastic contest or practice against non-school teams or in any interscholastic contest or practice which involves alumni participants, with the exception of that provision provided for member high schools against that school's alumni team in basketball, softball, and volleyball.

PROPOSAL 26

Amend 127-3-16 Sports Rules - Game Protests (pg. 22) as follows:

- ~~4615.3~~ The protest of a game contest or election will not be allowed, by the Board of Appeals when it is based on judgement decision on the part of an official or even a misinterpretation or misapplication of the rules. Accordingly, the Board of Appeals is not authorized to order contests to be replayed or elections to be reconsidered.

PROPOSAL 27

Amend 127-3-16 Sports Rules - Game Protests (pg. 22) as follows:

- ~~46.4~~ ~~As the rules of this Commission do not give the Board of Appeals authority to order games replayed, protests arising from decisions of officials will not be considered.~~

PROPOSAL 28

Amend 127-3-18 State Championships (pg. 22) as follows:

- ~~4817.2~~ The Board of Appeals ~~may~~ shall divide the state into sections and regions for the purpose of determining championships in the sports sponsored by this Commission. The Board of Appeals shall have charge of directing and making necessary arrangements for tournaments, meets and contests leading to and including state championships. ~~The principals of involved schools will be consulted and given the opportunity to participate in the alignment of schools for sectional and regional tournaments. Member school principals will receive the proposed tournament alignment from the WVSSAC office and will be given the opportunity to comment on the alignment prior to the presentation to the Board of Appeals. Principals will sign a form to verify receipt and return the form to the WVSSAC office within ten (10) days from the date of the bulletin.~~

PROPOSAL 29

Amend 127-3-23 Cross Country (Boys and Girls) (pg. 25) as follows:

- ~~2322.2~~ ~~Organized Team Practice: Organized team practice will begin on Monday of Week 7 and the first meet may be held on Wednesday of Week 9. Organized team practice will begin on Monday Week 5 and first meet may be held on Wednesday of Week 7.~~

PROPOSAL 30

Amend 127-3-23 Cross Country (Boys and Girls) (pg. 25) as follows:

~~2322.4~~ Maximum Team Contests: ~~No limit.~~ A cross country team will be permitted 16 meets exclusive of regional and state contests.

PROPOSAL 31

Amend 127-3-24 Football (pg. 26) as follows:

~~2423.9(g)~~ Junior High/Middle School football teams may be permitted to play overtime periods in ~~County or League Playoffs or when advancement to finals must be determined during county or League Championship Playoffs in regular season games.~~ Where conferences or counties are holding season ending championships, a tie breaking procedure shall be established if at the end of two overtime periods the score remains tied. A maximum of 2 overtime periods will be permitted in accordance with the National Federation Football Rules 20 yard line overtime procedure.

PROPOSAL 32

Amend 127-3-25 Golf (Boys and Girls) (pg. 27) as follows:

~~2524.2~~ Organized Team Practice: Organized team practice will begin on Monday of Week ~~7~~ 5 and the first contest may be played on any day after the opening of practice ~~the first day of the season.~~

PROPOSAL 33

Amend 127-3-26 Soccer (Boys and Girls) (pg. 27) as follows:

~~2625.4~~ Maximum Team Contests: A soccer team will be permitted to play no more than ~~49~~ 20 matches if participating in a conference tournament; otherwise the regular season will be ~~48~~ matches exclusive of sectional, regional, and state tournaments. ~~The conference tournament is to count as one (1) match.~~

PROPOSAL 34

Amend 127-3-27 Softball (pg. 28) as follows:

~~2726.4~~ Maximum Team Contests: A softball team will be permitted to play no more than 31 games if participating in a conference tournament or a tournament with a minimum of four participating teams; otherwise, the regular season will be 30 games exclusive of sectional, regional and state contests. ~~The conference tournament is to count as one (1) game.~~

PROPOSAL 35

Amend 127-3-31 Volleyball (Girls) (pg. 30) as follows:

~~3130.4~~ Maximum Team Contest: A volleyball team will be permitted to play in no more than 23 matches if participating in a conference tournament; otherwise the regular season will be 22 matches exclusive of sectional, regional, and state contests. ~~The conference tournament is to count as one (1) match.~~

PROPOSAL 36

Amend 127-3-32 Wrestling (pg. 31) as follows:

~~3231.4~~ Maximum Team Contest: A wrestling team will be permitted to have ~~46~~ 18 matches exclusive of ~~one (1) conference or county tournament~~, regional and state tournaments.

PROPOSAL 37

Amend 127-4-3 Code for Interscholastic Athletics (pg. 35) as follows:

~~3.87(d)~~ In case of spectators physically molesting an official, ~~administrator~~, coach, or ~~player student~~, the school may be given one of two options: 1) take action file charges against the offender (s) or 2) accept discipline from the WVSSAC. Any person found guilty of WV State Law 61-2-15a Assault, Battery on Athletic Officials while these individuals are working or as a result of working an athletic contest shall be banned from all WVSSAC athletic events for a minimum of 365 days from the date of being found guilty. The school filing charges shall notify the WVSSAC of the incident and outcome of any legal action.

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TITLE 127

LEGISLATIVE RULE

WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION

SERIES 2

ATHLETICS, PROVISIONS GOVERNING ELIGIBILITY

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OFFICE OF THE WEST VIRGINIA
SECRETARY OF STATE

§127-2-1. General.

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

1.2. Authority - W.Va. Constitution, Article XII, §2 and W.Va. Code §18-2-25.

1.3. Filing Date - June 7, 2002.

1.4. Effective Date - August 6, 2002.

§127-2-2. Waivers.

2.1. The Board of Directors is authorized to grant a waiver to a rule when it determines the rule fails to accomplish the purpose for which it is intended or when the rule works extreme and undue hardship upon the student.

2.2. Speculative loss of college scholarship is not considered a basis for granting a waiver to these rules.

§127-2-3. Enrollment and Team Membership.

3.1. To be eligible for participation in interscholastic athletics, a student must be enrolled full-time in a member school as described in Rule 127-2-6 on or before the eleventh instructional day of the school year. Enrollment must be continuous after the student has officially enrolled in the school.

3.2. Students can participate only in schools in which they are enrolled; however, an exception may be granted by the Board of Directors as follows:

3.2.1. if a feeder school does not afford students the opportunity to participate and they are otherwise eligible.

3.2.2. for students from the WV Schools for the Deaf and the Blind (WVSD&B) to

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participate at Hampshire High School or Romney Middle School (only in sports not available at WVSD&B).

3.2.3. if member schools containing grades 6 and/or 7 and/or 8 and/or 9 may combine students from two or more schools within the county to form one interscholastic team in a sport. Requests for permission to combine students from two or more schools in the same non-public or public school system must be submitted annually to the West Virginia Secondary School Activities Commission (WVSSAC) in writing by the superintendent of the non-public or public school system. Schools which are combining to form one team must be feeder schools for the same high school and at least one school does not have sufficient numbers for a team. If more than two schools are involved, principals are to evaluate the number of available participants in each school and shall combine schools to provide as many teams that sufficient numbers will allow. Sufficient numbers will be defined as the number of a starting line-up plus 50% (for odd number line-ups, round up).

3.2.4. Students enrolled in the ninth grade of a four, five or six year high school may participate on the high school team. Also, ninth graders of a feeder school may participate on their high school team and sixth grade students of a K-6 elementary feeder school may participate on their junior high team if granted permission by the county board of education or governing body of a private/parochial school and the school principals involved. Once a ninth grade student becomes a member of the high school team said student will be ineligible for the junior high team in that sport.

3.2.5. Students at a junior high or middle feeder school who are not provided the opportunity to participate because of age may move up to their high school if granted permission by the county board of education or governing body of a private/parochial school and the school principals involved.

3.3. A student academically ineligible by rule may begin practicing 15 school days immediately prior to the dates of regaining full eligibility provided all other eligibility requirements are met.

3.4. Students enrolled in the following grades in member schools will be eligible for junior high participation:

<i>Junior High Schools</i>	<i>High Schools</i>	<i>Middle Schools</i>
Grades 7 and 8	7, 8 and 9 (six year school)	6, 7, 8 (3-year or 4-year school)
Grades 7, 8 and 9	8 and 9 (five year school)	
Grades 8 and 9	9 (four year school)	

3.5. Sixth grade students may be eligible to participate in interscholastic sport teams except football in the middle school in which they are enrolled.

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3.6. Students who are enrolled in a grade below the ninth are not eligible for a high school team, and students enrolled in a grade below the seventh will not be eligible for a junior high team. Students enrolled in a grade below the sixth will not be eligible for a middle school team.

3.7. Senior students will be eligible for spring sports until the close of the school's season.

3.8. Schools may sponsor separate teams for members of each sex where selection for such teams is based upon competitive skill. If a school sponsors a team in a particular sport for members of one sex but sponsors no such team for members of the other sex, and athletic opportunities for members of that sex previously have been limited, members of the excluded sex must be allowed to try out for the team offered. For example, because overall athletic opportunities for females have previously been limited, females will be allowed to try out for baseball, but males will not be allowed to try out for volleyball or softball.

3.9. Students enrolled at WV School for the Deaf will be allowed to participate in sports at the WV School for the Blind. Students from the WV School for the Blind will be allowed to participate in sports at the WV School for the Deaf.

§127-2-4. Age.

4.1. A student in high school who becomes 19 and a student in junior high school who becomes 16 before August 1 shall be ineligible for interscholastic competition.

4.2. A student in high school who becomes 19 and a student in junior high school who becomes 16 on or after August 1 shall remain eligible for the entire year.

4.3. A student in a middle school (eighth grade being the highest grade) who becomes 15 before August 1 shall be ineligible for interscholastic competition at that level.

4.4. A student in a middle school (eighth grade being the highest grade) who becomes 15 on or after August 1 shall remain eligible for the entire school year at that level.

§127-2-5. Semester and Season.

5.1. A student may have the privilege to participate in the interscholastic program for four consecutive years (eight consecutive semesters or equivalent) after entering the ninth grade of a four-year high school or the ninth grade in a 7-9 junior high school.

5.2. A student shall not participate for more than two seasons while in grades 7-8 of a junior high/high school or no more than three seasons while in grades 6-7-8 of a middle school in any interscholastic activity.

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5.3. Students retained without failing.

5.3.1. *Loss of eligibility.* A student held back in the sixth, seventh or eighth grade without failing shall lose one of the four years of high school eligibility for each year the student is held back.

5.3.2. *Loss of fourth year.* A student held back one year in the seventh or eighth grade without failing shall lose the fourth year of eligibility after entering the ninth grade.

5.3.3. *Loss of third and fourth years.* A student held back for two years in the seventh or eighth grade without failing shall lose both the third and fourth years of eligibility after entering the ninth grade.

5.4. Ten days of attendance or enrollment shall constitute a semester. Said ten days includes the day of enrollment, the last day of attendance and the elapsed time between, provided that they are days when school was actually in session.

5.5. The number of semesters of athletic eligibility of a student is determined by semesters of enrollment and attendance and not by semesters of participation. (This applies for students in grades 9-12 only).

5.6. A student whose eligibility expires with the end of a semester shall not become ineligible until report cards are issued or five school days into the next semester, whichever is less. The student will be considered eligible any days between the two semesters.

5.7. Any part of a contest or interscholastic event in which a student competes shall be counted as a season for that sport in grades 6-12 and a semester of participation in grades 9-12.

5.8. The Board of Directors is authorized to grant a waiver to the Semester and Season 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. Waivers may be granted in the following circumstances:

5.8.1. The Board is authorized to consider cases in which a student entering high school (explained in Rule 5.1) did not stay in continuous enrollment because of personal illness, or no school was available, or because of other undue hardship reasons ascertained through investigation.

5.8.2. The Board may provide release from the continuous enrollment restriction provided no participation had occurred during the semester(s) in question.

5.8.3. In no event may a student be allowed to participate in more than four (4) seasons in any one sport in grades 9-12.

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5.9. The Board may also assess appropriate penalties to the student or to the school if said Board determines through its investigation that said student or said school did try to evade the rule by subterfuge.

§127-2-6. Scholarship.

6.1. A student is required to do passing work in the equivalent of at least 20 periods (four subjects with full credit toward graduation) per week. Failure to earn passing marks in four full credit subjects during a semester shall render a student ineligible for the following semester.

6.1.1. A semester course that constitutes 8100 minutes of instruction (block schedule) will count as two subjects.

6.1.2. The student may select four full credits from any area of the curriculum offered by the school.

6.1.3. If a student is taking a multiple period subject, such as block or vocational courses for a full morning or afternoon, it may be counted as more than one subject. The number of subjects counted will be equal to the units of full credits given.

6.1.4. If a student has been declared ineligible according to the standards outlined above, the student may attend summer school and have eligibility reinstated if the student meets the standards at the conclusion of summer school.

6.1.5. If a student has been declared ineligible according to the standards outlined above, the student may have eligibility reinstated at midsemester if the student is meeting the standards at that time.

6.2. *Note:* Full credit is defined as one-half credit for a semester or 4050 minutes as provided by West Virginia Board of Education §126-30-1 et seq., "Graduation Requirements for West Virginia Public Schools: Adolescent Education (Grades 9-12)" (Policy 2444.01) and West Virginia Board of Education §126-42-1 et seq., "Assuring the Quality of Education: Regulations for Education Programs" (Policy 2510).

6.3. Schools providing for planned programs of independent learning during the regular school term may wish not to require all students to attend classes for 4050 minutes during a semester. In such instances, full credit may be awarded for satisfactory performance provided that it meets standards established by the county and West Virginia Department of Education.

6.4. Full credit may be awarded for subjects in addition to those offered by the school as well as experimental programs developed by the school itself provided that it meets standards established by the county and West Virginia Department of Education.

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6.5. A student not attempting four (4) full credit subjects during a semester must complete one semester of school work to regain eligibility.

6.6. Any student who withdraws from school and does not re-enroll within 10 school days of that withdrawal date will lose eligibility for the remainder of that semester.

6.7. Credit deficiencies cannot be made up after the last day of the semester, except in a case where a student whose final examinations and course credit are delayed due to illness which can be verified by a physician.

6.8. The official school transcript will be used to determine a student's eligibility and will be regarded as final.

6.9. In accordance with §126-26-1 et seq., West Virginia Board of Education Policy 2436.10, "Participation in Extracurricular Activities" (C-Rule), students must maintain a 2.0 average to participate in interscholastic athletics. (See Appendix.)

§127-2-7. Residence-Transfer.

7.1. Part A - Residence.

7.1.1. A student shall be eligible in the zone in which the student's parents reside. Public secondary school attendance zones shall be established by official action by each county Board of Education. Zones of nonpublic member schools shall be established by their governing board and subject to approval by Board of Directors.

7.1.2. A student shall be eligible when enrolling to attend a member secondary school for the first time in the zone in which the parents reside, unless the student has established eligibility under Rule 127-2-7.2.3 in another attendance zone.

7.1.3. When a town or city is located in two counties and only one public secondary school is located in the town or city, students living in the town or city may attend this secondary school if mutually agreed upon by the two county boards of education and approved by the Board of Directors.

7.1.4. A student who is in the care of the West Virginia Department of Health and Human Resources shall be eligible to participate in interscholastic athletics as a member of the athletic teams of the secondary school in the zone in which said West Virginia Department of Health and Human Resources places the student in a home, provided the student is otherwise eligible.

7.1.5. A student may be eligible outside the specified zone of attendance if the student has been in attendance in that zone the immediate preceding year (365 days) prior to entering a

127CSR2

member secondary school. There can be no change of residence involving change of attendance zone during the immediate preceding year (365 days).

a. Should the parents make a bona fide change of residence to a new school zone during the school term, a student may remain in the school zone from which the parents moved and retain eligibility.

b. A student whose parents have resided in the school zone for a minimum of one academic year at which the student has been in attendance for a minimum of one academic year and whose parents move out of the school zone may:

A. Retain eligibility as long as said student retains enrollment and attendance or:

B. Transfer at time of change of residence to the school in the attendance zone in which the parents are now residing and be eligible in that school or:

C. Transfer at any time prior to the start of the next school year to the school in the attendance zone in which his parents are residing and be eligible for interscholastic activities at the receiving school.

7.1.6. Foreign exchange students, attending a member school under the auspices of a Council on Standards for International Educational Travel (CSIET) student exchange program, shall be considered eligible regarding residence for a maximum period of one calendar year. Said foreign exchange student may not be a graduate of the secondary school of the home country and must maintain eligibility in a member school. A foreign exchange program must assign students to schools by a method which insures that no student, school, or other interested party may influence the assignment for athletic purposes.

7.1.7. A student returning from an approved foreign exchange program may resume interscholastic competition in a member school at the point of interruption provided the student does not fulfill graduation requirements while participating in the exchange program and provided the student meets all requirements relative to age and semesters of eligibility.

7.2. Part B - Transfer.

7.2.1. A student becomes immediately eligible, providing all other eligibility requirements are met, when parents make a bona fide change of residence to a new school zone. Determination of a bona fide change of residence depends upon the facts of each case. In order for a change of residence to be considered bona fide the following circumstances may be considered but are not exclusive:

a. Was the original residence abandoned;

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- b. Did the entire family make the change of residence;
- c. Is the change made with the intent to be permanent;
- d. Does the family have more than one residence for eligibility purposes?
- e. When parents are not legally separated and when they are residing in different places, the residence shall be considered the residence formerly used by both parents;
- f. Was the residence change used or manipulated for the purpose of gaining athletic eligibility?

7.2.2. If a student transfers during the school year from a secondary school in one zone to a secondary school in another zone, said student shall be ineligible for the remainder of that school year unless the parents become residents of the zone to which the student transfers. Students transferring out of attendance zone shall immediately forfeit eligibility in the attendance zone unless exempted by Rule 127-2-7.2.8.

7.2.3. Students who transfer during the school year to or from a member school shall be ineligible for the remainder of that school year unless the parents move from one member school zone to another member school zone in conjunction with transfer of schools.

7.2.4. If the transfer is from a non-member school to a member school in the zone where the student's parents reside, a student is eligible providing; (1) the student is enrolling in a member school for the first time and (2) the principals of both non-member and member schools involved concur that undue influence is not involved with the transfer.

7.2.5. A student may be transferred from one-attendance 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 education programs(s) not available in the attendance zone from which the student is transferred. Upon the completion of the special program, the student must return to the attendance zone of the student's residence.

7.2.6. For the purpose of athletic eligibility, the Commission does not recognize emancipated status as relates to transfer except as might occur in marriage and relocation to another school zone.

7.2.7. Notwithstanding any other provisions of WVSSAC rules and regulations, if a student transfers for athletic reasons, the student will be ineligible for 365 days from the date of enrollment. A transfer for athletic reasons is defined as, but not limited to:

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- a. Seeking a superior athletic team;
- b. Seeking a team consistent with the student's ability;
- c. Seeking relief from conflict with the philosophy or action of an administrator, teacher or coach relating to athletics;
- d. Seeking a means to nullify punitive action by the previous school.

7.2.8. If a student is released and accepted by formal actions of county boards of education or similar governing bodies of a non-public school which have verified that such transfer is not for athletic purposes, said student will be granted immediate eligibility provided all other rules are met. The transfer must occur at the beginning of the school year with the student enrolled on or before the eleventh instructional day of the beginning of the school year and provided that said student is residing with the parents. Notwithstanding any provisions, once that team has participated in a scrimmage or contest, the student has established eligibility at that school for the remainder of that school year.

7.2.9. The eligibility of a student whose parents are divorced or legally separated is determined by the following:

- a. court decree establishing residency with one parent.

7.2.10. After establishing initial residency with one parent, all subsequent transfers will require a period of ineligibility for the remainder of that school year unless a change of residency is decreed by the court.

§127-2-8. Adoption/Guardianship.

8.1. A student shall be eligible to participate in interscholastic athletics only if (1) residing with one or both of the parents; (2) residing with a testamentary guardian following the death of the parents; or (3) residing in a location where the student was placed by the West Virginia Department of Health and Human Resources pursuant to WVSSAC Rule 127-2-7.1.4.

8.2. The residence of a testamentary guardian shall constitute the residence of the ward when, and only when, (1) such testamentary guardian has been duly appointed by the last will and testament of the student's last surviving parent; (2) said testamentary guardian has duly qualified as such before the proper tribunal in West Virginia; and (3) the student is actually residing in the household of the testamentary guardian at the time of the student's sport participation.

8.3. Notwithstanding any other provision of the WVSSAC rules and regulations, any student residing with a guardian/custodian other than a testamentary guardian may not compete for a school

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in any sport on the varsity level but may compete at the junior varsity level.

8.4. Notwithstanding any other provisions of WVSSAC rules and regulations, legal guardian/custodian may not be changed for athletic reasons. A transfer for athletic reasons is defined as, but not limited to:

8.4.1. Seeking a superior athletic team;

8.4.2. Seeking a team consistent with the student's ability;

8.4.3. Seeking relief from conflict with the philosophy or action of an administrator, teacher or coach relating to athletics;

8.4.4. Seeking a means to nullify punitive action by the previous school.

§127-2-9. Undue Influence - Recruiting.

9.1. The use of influence by a person or group connected or not connected with the school to secure or retain a student for athletic participation is not permitted and may cause the student to be ineligible and may cause certain sanctions to be placed against the member school.

9.2. An employee of the school system shall not initiate any communication regarding athletic participation or enrollment with a student, parent of a student, guardian or family member, in person or through a third party prior to enrollment. This does not include the introduction of athletic programs to students at feeder schools during a school's scheduling process.

9.3. A student, parent of a student, or guardian shall not be offered for the purpose of encouraging enrollment in a school or participation in an athletic program any inducement, such as free tuition, jobs, supplies, uniforms, other than that which is provided for all students.

§127-2-10. Non-school Participation.

10.1. During the school year and while a member of a school team, a student shall neither participate on any formally organized non-school team in the same sport, nor shall the student compete as an individual unattached in non-school formally organized competition in the same sport. The following sports are exempted from the provisions of this rule: cheerleading, cross country, golf, swimming, tennis, track, and wrestling, providing:

10.1.1. participation is approved by the student's principal.

10.1.2. the student misses no school-sponsored athletic contest involving a team in that sport.

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10.2. A student may participate as a member of a national team (and the actual, direct tryouts thereof) which is defined as:

10.2.1. one selected by the national governing body of the sport,

10.2.2. while representing the National Federation in an International Schoolsport Federation, or

10.2.3. as a representative of the United States in recognized national or international events.

10.3. A student who has participated on a non-school team or as an individual unattached in non-school formally organized competition after the beginning practice date of that sport will be ineligible for participation on that school team for that season in that particular sport except as provided by Rules §127-2-10.1 and 10.2.

§127-2-11. Amateur.

11.1. A student who represents a school in an interscholastic sport shall be an amateur in that sport. An amateur athlete is one who engages in athletic competition solely for the physical, mental, social, and pleasure benefits derived therefrom. An athlete forfeits amateur status in a sport by:

11.1.1. competing for money or other monetary compensation (allowable travel, meals and lodging expenses may be accepted);

11.1.2. receiving any award or prize of monetary value which has not been approved by the WVSSAC;

11.1.3. capitalizing on athletic fame by receiving money or gifts of monetary value (scholarships to institutions of higher learning are specifically exempted);

11.1.4. signing a professional playing contract in that sport.

11.2. Accepting a nominal, standard fee or salary for instructing, supervising or officiating in organized youth sports program or recreation, playground or camp activities shall not jeopardize amateur status. "Organized youth sports program" includes both school and non-school programs. Compensation for giving private lessons is permissible if approved by the WVSSAC.

11.3. A student who loses amateur status may apply to the WVSSAC for reinstatement in the interscholastic program after a waiting period of one complete high school season (starting practice date to through state tournament or end of season) for that sport.

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11.4. A senior student may participate in a professional tryout either during or after the season of that sport provided

11.4.1. that it does not occur on the day of a school contest of that sport, or

11.4.2. that it meets with the principal's approval.

§127-2-12. Participation as an Ineligible.

12.1. Any student who participates in an interscholastic athletic contest as an ineligible, either knowingly or inadvertently, shall be ineligible for a period not to exceed 365 days as determined by the Executive Director.

§127-2-13. Practice.

13.1. Only students enrolled in the specific member school are allowed to participate in that school's practices. Exceptions - Rule 127-2-3.2 and 127-2-3.5.

13.2. The frequency and length of practice is at the discretion of each member school.

13.3. Member schools of the WVSSAC may practice on any day of the year with the exception of Sunday practice. Rule 127-3-14.2 further clarifies Sunday practice.

13.4. Individual players of a team must have practiced

13.4.1. on 7 SEPARATE days before participating in an interscholastic scrimmage.

13.4.2. on 14 SEPARATE days, exclusive of the day of a contest, before participating in an interscholastic contest. The following sport(s) is exempted from the provisions of this rule: golf.

13.5. A student shall not be permitted to engage in interscholastic practice until that student has filed with the principal a completed Athletic Participation/Parental Consent/Physician's Certificate Form. Rule 127-3-3 further explains this required form.

13.6. A student academically ineligible may begin practicing 15 school days immediately prior to the date of regaining full eligibility.

13.7. If a student has established eligibility in a sport requiring 14 separate days of practice and is continuing to participate in that sport or no school days have lapsed from one sport to another sport in a same season, the student may participate in another sport of the season after completing seven separate days of sport specific practice in the second sport.

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13.8. Students participating in a sport(s) in one season must have practiced 14 separate days, exclusive of the day of a contest, to be eligible to participate in a sport in the next season with the following exception: the student has continued to practice or participate in tournament play without an interruption of school days. The student must complete seven separate days of sport specific practice in the second sport.

127CSR2

APPENDIX

§126-26-1 et seq., West Virginia Board of Education
Policy 2436.10, "Participation in Extracurricular Activities"

TITLE 126
LEGISLATIVE RULE
WEST VIRGINIA BOARD OF EDUCATION

SERIES 26
PARTICIPATION IN EXTRACURRICULAR ACTIVITIES (2436.10)

§126-26-1. General.

1.1. Scope -- These legislative rules establish academic eligibility of students to participate in extracurricular activities both during and after normal school hours in the public schools of the State.

1.2. Authority. -- W. Va. Code §18-2-5.

1.3. Filing Date. -- August 10, 1984.

1.4. Effective Date. -- September 10, 1984.

1.5. Repeal of Former Rule. -- None. This is a revision.

§126-26-2. Applicability.

This policy applies only to nonacademic extracurricular activities, such as interscholastic athletics, cheerleading, student government, class officers, and clubs which are not closely related to identifiable programs/areas of study, in grades 7-12. Excluded from this policy are extracurricular activities which are closely related to identifiable academic programs/areas of study and which serve to complement academic curricular activities such as vocational, linguistic, mathematic, scientific, forensic, theatrical, musical, journalistic and other similar academic extracurricular activities.

§126-26-3. Eligibility.

In order to participate in the extracurricular activities to which this policy applies, a student must:

3.1. Maintain a 2.0 average.

a. A 2.0 average is defined as a grade-point average (CPA) of 2.0 or better on a scale where an "A" mark earns 4 points, a "B" is awarded 3 points, a "C" is worth 2 points, a "D" is given a value of 1 point, and an "F" is worth 0 points.

b. For purposes of achieving the clearest and most uniform application of the policy for those schools which use a numerical grading system, all numerical grades shall be converted to the corresponding letter grade. Each letter grade shall be assigned the appropriate value as set forth above, and the average thereof computed to determine whether the student is eligible. No enhanced value should be given for a "plus" or "minus" designation, such as "B+" or "C-"; all grades with the same letter designation have the same numerical value in the 4.0 scale.

c. In computing a student's "grade-point average" (CPA) for purposes of this policy, all subjects undertaken by the student and for which a final grade is recorded are to be considered. Athletic and cheerleading practice may not be counted as a subject. The total number of classes taken is divided into the total number of "grade points" earned to determine the CPA. Classes for which a pass/fail is awarded will be included in computing the CPA only if the student failed the class.

d. The student's eligibility will be determined for each semester by his or her CPA the previous semester.

e. If a student does not maintain a 2.0 average for the second semester, he or she will be ineligible for participation in the second semester.

f. If a student does not maintain a 2.0 average for the second semester, he or she may attend summer school to raise the CPA. For purposes of computing the CPA after summer school, all the student's grades from the second semester plus his or her grade from the summer school will be used to determine the CPA. This provision is effective retroactively to the end of the second semester of the 1983-84 school year, so that work taken at an approved summer school in 1984 may be used to determine a student's CPA for the first semester of the 1984-85 school year.

g. In the case of handicapped students, if grades are given, all grades received from placements in regular classrooms and special education classrooms should be included when computing the CPA. Handicapped students placed in ungraded programs will be eligible for participation in extracurricular activities if their records indicate that they are making satisfactory progress in meeting the objectives of their IEP.

h. A student who has not achieved a 2.0 CPA the previous semester may have his or her eligibility reinstated at midsemester if the student has attained at least a 2.0 CPA for the most recent grading period the current semester and, in cases where grades are not given at midsemester, is continuing to maintain a 2.0 CPA at midsemester.

and

3.2. Meet State and local attendance requirements.

a. Students must meet the attendance requirement in Graduation Requirements for West Virginia Public Schools: Adolescent Education (Grades 9-12) of a full day for students in the first three (3) years of grades 9-12 and at least four (4) class periods in the fourth year of grades 9-12.

b. Students must meet the attendance requirements of local boards of education.

FISCAL NOTE WORKSHEET

(submit 4 copies)

HD NO. _____ DRAFT NO. _____ BILL NO. _____ RESOLUTION NO. _____

SUBJECT **WV Secondary School Activities Commission** FUND _____

SOURCE OF REVENUE: GENERAL FUND SPECIAL OTHER (SPECIFY) _____

COST ESTIMATE BASED ON: AN ORIGINAL ESTIMATE BUDGET BILL OTHER (SPECIFY) _____

INCOME ESTIMATE BASED ON: AN ORIGINAL ESTIMATE BUDGET BILL OTHER (SPECIFY) _____

SHOW OVER-ALL EFFECT IN ITEMS 1 AND 2, AND GIVE EXPLANATION OF BREAKDOWN BY FISCAL YEAR INCLUDING LONG RANGE EFFECT IN ITEM 3.					
EFFECT OF PROPOSAL	ANNUAL		FISCAL YEAR		
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
1. ESTIMATED TOTAL COST	\$ 32,679	\$	\$ 59,847	\$ 92,526	\$
PERSONAL SERVICES	\$ (1a) 6,000	\$	\$ (1a) 10,000	\$ (1a) 16,000	\$
CURRENT EXPENSES	(1b) 2,520		(1b) 7,560	(1b) 10,080	
REPAIRS/ALTERATIONS	(1c) 1,500		(1c) 2,500	(1c) 4,000	
EQUIPMENT	(1d) 19,500		(1d) 32,500	(1d) 52,000	
OTHER	(23) \$147 Cross Country		(23) (447)	(594)	
	1480 Swim		(2,246)	(3,726)	
	1532 Tennis		(4,594)	(6,126)	
2. ESTIMATED TOTAL REVENUES	\$ (23) \$1,586.00	\$ (16) 2,000.00	\$ (16) 2,000.00	\$ (16) (-2000.00)	\$ (23) 1,586.00 \$ 0

3. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT):

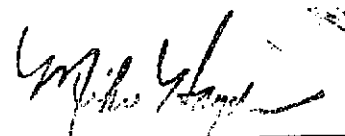
Continued on Attached Page

4/22/02

DATE

WV Secondary School Activities Commission

AGENCY



AUTHORIZED REPRESENTATIVE

FISCAL NOTE WORKSHEET - CONTINUED

Proposal 1

- a. If the number of administrative districts is raised from five to eight, the amount of annual student scholarships of \$1,000 each would increase from \$10,000 to \$16,000.
- b. If the number of administrative districts is raised from five to eight, three additional representatives would need to be added to each of the fourteen Sport Coaches' Committees. Currently, each representative's expenses are approximately \$60.00 annually. The increase of 42 more representatives would be an additional expense of \$2,520.00.
- c. If the number of administrative districts is increased, the number of Board of Appeals members would increase from five to eight. There would be an increase of \$1500 in personal services due to a \$500 honorarium received by each member.
- d. The current expense for each Board member is \$6,500 annually. The additional three members would result in an increase expense of \$19,500.

Proposal 23

Additional classes would require more days of tournament play which would increase expenses and possibly decrease instructional time. Possible increased revenue could result in wrestling (\$936) and soccer (\$650). However, the sports which have shown losses may have increased losses due to additional days of tournament play (cross country - \$147; swim - \$1480; tennis - \$1582).

SPECIFIC AMOUNTS OF INCREASE OR DECREASE FOR ALL PROPOSALS ARE EXPLAINED ON THE FISCAL NOTE WORKSHEET.

MAY 3 2002

Regional Education Service Agency IV

404 Old Main Drive
Summersville, WV 26651
(304) 872-6440
(FAX) 872-6442

Braxton
Fayette
Greenbrier
Nicholas
Pocahontas
Webster

G.A. McClellan

ELMER L. PRITT
Executive Director

April 26, 2002

Dr. David Stewart
West Virginia Superintendent of Schools
West Virginia Department of Education
1900 Kanawha Boulevard East
Charleston, West Virginia 25305

Dear Dr. Stewart:

Re: Proposed SSAC Rule Dealing with Summer Athletic Activities

At our Wednesday, April 24, 2002, Board of Directors meeting, discussion took place concerning proposed policy revision permitting student participation in summer activities related to athletics. The Board of Directors unanimously directed me to convey to you their desire to expressly prohibit allowing more involvement between coaches and student athletes during the summer session. They feel very strongly that present guidelines are adequate and that further expansion of summer activities would be detrimental to the students. The RESA IV Board of Directors unanimously supports last year's limiting out-of-season practice.

Sincerely yours,

Elmer L. Pritt

Elmer L. Pritt
Executive Director

ELP/cmp

THE AMERICAN LEGION

Parkersburg Post 15, 2505 Ohio Avenue, P.O. Box 724, Parkersburg, WV 26102



23 May 2002

Mr. G. A. McClung, Asst. Superintendent
WV Department of Education
Charleston, WV. 25305

MAY 28 2002

Re: Proposed 21 Day Rule.

Dear Superintendent McClung,

On behalf of the American Legion Parkersburg Post 15 permit me to register a negative viewpoint regarding the proposed 21 day rule now being considered by the State Board of Education. I respectfully request the board vote against this proposal.

This proposal, if passed, will be very detrimental to the summer baseball program known as American Legion baseball. Here's why, legion baseball can not start each year until the high school teams have completed their seasons. This means in early June. If the high school coaches are allowed, as now proposed, to practice 21 day's in June, this means most legion teams can not start until that 21 day period has been completed.

In WV most of our athletes play multiple sports, basically football and basketball. I know in the case of Parkersburg Post 15, if this rule was effective at this time we could not have a team until July because our team is made up of the football, basketball and baseball players.

I also see this proposal as being most unfair to the multi-talented athlete, if the boy excels in both football and basketball, as most do, he will be under extreme pressure from both the football and basketball coaches to participate in their particular sport. One might argue that is not a problem as the coaches will have to share the boy equally. We all know that this will not fly as each coach will look the boy in the eye and simply tell him if he wishes to play his sport he should choose to show up for his 21 day sessions. The proposal also says this a voluntary program. Oh yes, we can say that, but we know what the coaches say, be there or else. It's not fair to put the boy in this position. I view this proposal as real trouble for the schools athlete directors to settle coaches complaints against each other.

Please weigh this proposal carefully and do what is best for the athlete keeping in mind the negative aspects as it effects American Legion baseball.

Most sincerely,

R.T. Cunningham
Athletic Officer, Post 15

MAY 31 2002

TITLE 127
WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION
Athletics, Provisions Governing Eligibility
Comment Response Form

Please use this form when commenting. You may attach additional sheets if necessary.

Individual/Organization: Wheeling Park High School - Dick Dei

Title: Asst. Principal/Athletic Director

Street Address: 1976 Park View Rd. City/State/Zip Wheeling, WV 26003

Comments/Suggestions

§127-2-2. Waivers.

§127-2-3. Enrollment and Team Membership.

§127-2-5. Semester and Season.

§127-2-6. Scholarship.

§127-2-7. Residence - Transfer.

**§127-3 - Provisions Governing Contests.
Comment Response Form
Page Three**

§127-3-20. Basketball (Boys and Girls).

§127-3-21. Cheerleading.

§127-3-22. Cross Country (Boys and Girls).

§127-3-23. Football.

§127-3-24. Golf (Boys and Girls).

§127-3-25. Soccer (Boys and Girls).

Schools who play in large conferences will be effected most by this change. In our conference, we could play four games. This would reduce our scheduled games to sixteen. It also presents a problem for scheduling.

§127-3-26. Softball.

§127-3-27. Swimming (Boys and Girls).

§127-3-28. Tennis (Boys and Girls).

§127-3-29. Track and Field (Boys and Girls).

§127-3-30. Volleyball (Girls).

JUN - 3 2002

§127-3 - Provisions Governing Contests.
Comment Response Form
Page Three

Valley (Fayette)

§127-3-20. Basketball (Boys and Girls).

§127-3-21. Cheerleading.

Reassignments of regions for cheering competition. If you look at proposals and were being appeared to be okay and then some changes without being notified to allow the opportunity to express your opinion & heard.

§127-3-22. Cross Country (Boys and Girls).

Robert Allen quite right.

§127-3-23. Football.

§127-3-24. Golf (Boys and Girls).

§127-3-25. Soccer (Boys and Girls).

§127-3-26. Softball.

§127-3-27. Swimming (Boys and Girls).

§127-3-28. Tennis (Boys and Girls).

§127-3-29. Track and Field (Boys and Girls).

§127-3-30. Volleyball (Girls).

JUN - 3 2002

TITLE 127
WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION
Provisions Governing Contests
Comment Response Form

Please use this form when commenting. You may attach additional sheets if necessary.

Individual/Organization:

Title:

Street Address:

Tyler Consolidated High School
Jimmy Wyatt, Principal
1993 Silver Knight Dr. Sistersville, Wv.
26175

Comments/Suggestions

§127-3-2. Duties and Responsibilities of the Principal.

§127-3-3. Physical Examination - Parental Permission.

§127-3-4. All Star Participation.

§127-3-5. Awards.

§127-3-6. Coaches.

This would place more free admission cards out there for the member schools to absorb the costs.

§127-3-7. Out-of-Season Coaching.

This would put pressure on multi sport athletes on which sports to attend camp, etc. - could get complicated among coaches.

§127-3-8. Forfeit and Restitution.

§127-3-9. Game Officials (Does Not Apply to Cheerleaders).

§127-3 - Provisions Governing Contests
Comment Response Form
Page Two

§127-3-10. Classification.

*This is a good move as it adds
some stability among classes.*

§127-3-11. Exchange of Eligibility Certificates.

§127-3-12. Legal Opponents.

§127-3-13. Contracts.

§127-3-14. Sunday Contests.

§127-3-15. Sports Rules - Game Protests.

§127-3-16. Sanctioning and Travel.

§127-3-17. WSSAC Tournaments.

§127-3-18. Season Regulations.

§127-3-19. Baseball.

TITLE 127
WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION
Constitution
Comment Response Form

Please use this form when commenting. You may attach additional sheets if necessary.

Individual/Organization: Tyles Consolidated High School

Title: Jimmy Wyatt, Principal

Street Address: 1993 Silver Knight Dr. City/State/Zip Sistersville WV
26175

Comments/Suggestions

§127-1-2. Name.

§127-1-3. Goals.

§127-1-4. Membership.

§127-1-5. Administration.

§127-1-6. Officers and Duties.

§127-1-7. Meetings.

§127-1-8. Board of Directors.

§127-1-9. Funds.

There is no need to expand the size of the board in these times of declining enrollment. Wasting funds to pay for the expansion. There is no collusion among "non principals" on this ten member board.

MAY 31 2002

TITLE 127
WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION
Provisions Governing Contests
Comment Response Form

Please use this form when commenting. You may attach additional sheets if necessary.

Individual/Organization: Allen Osborne / Pocahontas High

Title: Athletic Director / Basketball Coach

Street Address: Rt. 2 Box 50 City/State/Zip Poca, WV 25159

Comments/Suggestions

§127-3-2. Duties and Responsibilities of the Principal.

§127-3-3. Physical Examination - Parental Permission.

§127-3-4. All Star Participation.

§127-3-5. Awards.

§127-3-6. Coaches.

§127-3-7. Out-of-Season Coaching. - *see attachment*

§127-3-8. Forfeit and Restitution.

§127-3-9. Game Officials (Does Not Apply to Cheerleaders).

While this proposal is a step in the right direction, it possibly could cause more problems within each school. The possible problems will be caused due to the restrictive nature of the proposal. Allowing such a short window of time, 3 weeks, will cause problems for administrators, coaches, and athletes. If an athlete is a multi-sport athlete and coaches from a variety of sports are vying for his /her time during this time which sport will he or she choose? This situation will cause principals to place rigid time lines for sports and actually coaches and athletes will not have the 3 week time period, they will be able to work with the athlete maybe one week. This could cause friction between coaches, coaches and principals, and athlete and coach.

A more sensible approach would be to let a coach work with his athlete(s) anytime in the off season. There will be a need for regulations, so those multi-sport athletes will have the opportunity to participate in other sports and not be pressured to specialize in one sport. The following rules could allow this to happen:

1. A coach can work with up to 4 athletes at a time. Most coaches do not want to practice their TEAMS, but they do want to work individually with their athletes. For example, a football coach could work with his quarterback and receivers on passing and catching techniques. A basketball coach could work with his players on shooting techniques. This would give each coach an opportunity to work with players to help them develop better skills individually. After all, this is what we are trying to achieve. We want to allow our athletes the opportunity to improve individually.
2. To protect the multi sport athlete the months of August, mid-November to mid-December, and March will be dead months. This is the time that sports are beginning and coaches who are not coaching athletes will not be allowed contact with them. For example, in August, football, volleyball, cheerleading, soccer, golf, and cross-country begin. So, only those coaches will be allowed contact with athletes. Basketball, wrestling, track, baseball, softball, and tennis coaches would be dead or would not be allowed to work with their athletes. Once September 1 comes, any athlete not participating in an August sport could receive instruction and individual attention by their coaches.
3. During the summer a coach can coach his/her team in summer leagues. This would allow coaches to work with their teams and take away the AAU element, especially in basketball. Football coaches could work with teams in 7 on 7 passing leagues.
4. A coach can attend one team camp with his/her team.

West Virginia is far behind other states in allowing good, qualified coaches to work with the student-athletes. We need to give our athletes the same opportunity that other states give to their athletes to be the best they can be. Thank you.

Sincerely yours,

Allen Osborne

G. A. McClung

From: Marcia Ritchie [mritchie@citynet.net]
Sent: Monday, May 27, 2002 11:00 AM
To: 'gmclung@access.k12.wv.us'
Subject: Comment Response

Individual/Organization: Marcia Ritchie -Middle School Soccer Coach
101 2nd Avenue, Murraysville, WV 26164

Comments/ Suggestions:

In regard to WVSSAC Rules 127-2.4.2 and 127-2-4.3. Students at the junior high and middle school level who exceed the age limit should not be given special treatment. Having taught in the middle school, I have seen the immaturity level exhibited by these students. Age does not determine maturity. There are plenty of students in high school. School/coaches should not rush kids.

In regard to WVSSAC Rules that govern organized out -of-season practice and related activities during Weeks 50,51, and 52 of the calendar.

Being a parent of 3 students (middle /high school) and a middle school coach, I do not agree in allowing the coaches to start practices earlier than required.

It is hard on the student to make every practice, let alone out-of-season practices that coaches WILL require of them. There are coaches that will "weed out" students if they are unable or choose family vacations or other activities rather than practices. I do not see this as being beneficial to the students/family. That's what school sports are meant for-the children.

Schools and sports coaches are forcing children to pick one or 2 sports or activities earlier and earlier..then get burnt out in high school. Ages 11-14 are optimum learning ages for sports in the development of a child. Coaches are becoming too demanding and unaccommodating.

We need to develop better coaches. Not allow them to monopolize or waste time with longer and more unscheduled practices.

Speaking as a parent, coaches are turning kids off with their lack of consistency/direction and vision for their teams.

Thank you ,

Marcia Ritchie

MAY 30 2002

TITLE 127
WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION
Provisions Governing Contests
Comment Response Form

Please use this form when commenting. You may attach additional sheets if necessary.

Individual/Organization: Tom Wamsley / Tygart's Valley H.S.

Title: Athletic Director

Street Address: Rt 250 South City/State/Zip Mill Creek, WV 26280

Comments/Suggestions

§127-3-2. Duties and Responsibilities of the Principal.

§127-3-3. Physical Examination - Parental Permission.

§127-3-4. All Star Participation.

§127-3-5. Awards.

§127-3-6. Coaches.

Proposal #16 → Good Change - hope it passes

§127-3-7. Out-of-Season Coaching.

I have great concerns in regards to proposals 17 and 18. (please see Attachment)

§127-3-8. Forfeit and Restitution.

§127-3-9. Game Officials (Does Not Apply to Cheerleaders).



Tygarts Valley High School

Home of the Fightin', Bitin', Bulldogs

Phone: 304-335-4824 / 4575 / 4345 (Main Office)
304-335-4427 (Athletic Director)

P.O. Box 68
Mill Creek, WV 26280

Fax: 304-335-6963

May 22, 2002

G.A. McClung, Assistant Superintendent
WV Dept. of Education
Building 6, Room 318 State Capitol Complex
1900 Kanawha Boulevard, East
Charleston, WV 25305-9969

Dear Mr. McClung:

I am writing in reference to Proposals #17 & #18 in regards to the proposed changes in the WVSSAC Rules and Regulations Handbook. I have 25 years of coaching experience, 20 of which I have been and am currently a head varsity boys basketball coach. I have just completed my 3rd year of being the Athletic Director at TVHS.

The people who support these proposals will say that it will allow our athletes a chance to improve themselves during this 3 week period. In reality, the coaches are more concerned with building team concepts and running team plays than they are with individual progress. These 2 proposals will cause a great amount of stress and discord between coaches of multi-sport athletes as someone will have to decide with which team the athlete will spend either all or the majority of the limited available time.

If the proponents of these proposals are truly concerned about the individual athlete, then let's have a rule that allows the coach to work only with small groups (3 or less) or just single individuals during the off season whenever the opportunity presents itself. Rather than scheduling the entire team for practices over a concentrated 3 week period, the small group settings would allow more flexibility for the individual athlete and the families involved. Our goals should be for more improvement for the individual athlete rather than improving the teams.

Please see fit to defeat Proposals #17 & #18.

Sincerely,

Coach Tom Wamsley
Athletic Director
Head Boys Varsity Basketball Coach
TVHS