

- participating teams. (Vote: Yes-76 No-23)
5. Changes the beginning of the junior high/middle school cheer season to be consistent with other junior high/middle school fall sports. (Vote: Yes-94 No-2)
 6. Allows 19 soccer matches if participating in a conference tournament. (Vote: Yes-54 No-38)
 7. Establishes rules for junior high/middle school swim teams. (Vote: Yes-64 No-13)
 8. Changes the end of the high school volleyball season. (Vote: Yes-102 No-0)
 9. Changes the end of the junior high/middle school volleyball season. (Vote: Yes-94 No 0)
 10. Allows ninth grade instrumental music students from feeder schools to participate in the marching band program if the feeder school does not offer a marching band program. (Vote: Yes-53 No-35)
 11. Changes WVSSAC office notification procedures for appeal cases. (Vote: Yes-104 No-0)

IMPACT

Instruction

None

Leadership

None

Financial

One proposal would result in an increased expense of \$10,000.00. Two other proposals would collectively result in decrease of revenue of \$6,000.00. Specific amount of increase for these proposals are explained on the Fiscal Note Worksheet.

Administrative

Athletic directors/principals will need to be aware of the changes in order to administer their school programs in accordance with the current rules. There is no major change that would impact administration negatively or cause extra administrative work at the school level.

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	\$16,000	\$	\$60,000	\$76,000	\$
PERSONAL SERVICES	\$(1) 10,000	\$	\$(1) 60,000	\$(1) 70,000	\$
CURRENT EXPENSES					
REPAIRS/ALTERATIONS	(2) 4,000		(2) 0	(2) 4,000	
EQUIPMENT	(3) 2,000		(3) 0	(3) 2,000	
OTHER					
2. ESTIMATED TOTAL REVENUES	\$0	\$	\$0	\$0	\$

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

Proposal 1

If sixth graders are allowed to participate in middle school interscholastic sport teams, there would be an increase of \$10,000 in the cost of catastrophic injury insurance. Currently, the cost of insurance is approximately \$60,000 for six grades; an additional grade would be an increase of \$10,000.

Proposal 2

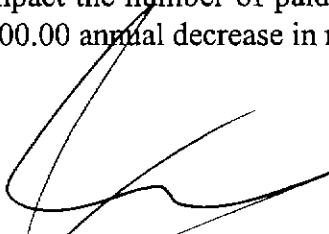
The issuance of additional Courtesy and Identification Cards would impact the number of paid admissions at WVSSAC tournament contests. That would result in an estimated \$4,000.00 annual decrease in revenue.

Proposal 3

The issuance of additional Courtesy and Identification Cards would impact the number of paid admissions at WVSSAC tournament contests. That would result in an estimated \$2,000.00 annual decrease in revenue.

4/6/00
DATE

WV Secondary School Activities Commission
AGENCY



 AUTHORIZED REPRESENTATIVE

EXECUTIVE SUMMARY
WEST VIRGINIA BOARD OF EDUCATION

POLICY NUMBER AND TITLE: Policy _____
West Virginia Secondary School Activities Commission
Proposed Changes in Rules and Regulations

PUBLIC COMMENT PERIOD ENDS: May 26, 2000 **ADOPTED:** _____

BACKGROUND

The majority of public and most private schools in West Virginia belong to the West Virginia Secondary School Activities Commission. Each year, the principals of member schools submit revisions to the rules and regulations. The submitted proposals are presented and voted upon at the annual Board of Control meeting. Any approved changes are then submitted to the West Virginia State Board of Education for their review and approval.

PURPOSE

These amendments are brought forth to keep the West Virginia Secondary School Activities Commission current and updated on changes, trends and problems in the band and athletic programs.

These proposals were distributed for public comment in April and May. The West Virginia Secondary School Activities Commission will present to the Board the comments received for your review at the June meeting.

The West Virginia Secondary School Activities Commission staff, Constitution and Bylaws Committee, and Board of Control respectfully request that the proposed rule changes to the West Virginia Secondary School Activities Commission Rules and Regulations Handbook be approved.

CONTENT

Eleven proposals are being submitted to the State Board by the Secondary School Activities Commission. Each rule change is presented with the whole rule being included. This will help the State Board members understand the significance of the rule change.

The following is a brief summary of the effect of each proposal:

1. Allows sixth grade students to participate in all middle school interscholastic sport teams except football. (Vote: Yes-70 No-25)
2. Allows the WVSSAC to issue Complimentary Courtesy and Identification Cards to the principal and vice-principal of vocational schools which instruct member school students. (Vote: Yes-79 No-22)
3. Allows the WVSSAC to issue Complimentary Courtesy and Identification Cards to retired athletic directors with at least 20 years as a coach, athletic director, or combination of coaching and athletic director experience. (Vote: Yes-93 No-1)
4. Allows 31 baseball games if participating in a tournament with a minimum of four

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TITLE 127
LEGISLATIVE RULES
WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION
SERIES 2
ATHLETICS, PROVISIONS GOVERNING ELIGIBILITY

§127-2-1 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 - July 1, 1987

§127-2-2 Note.

(a) The word "student" used in these Rules and Regulations refers either to a boy or girl participant in interscholastic athletics or band activities. Therefore, according to correct grammatical usage, since the antecedent "student" can involve persons of both sexes, the masculine pronouns he, his or him used throughout said Rules and Regulations will refer either to male or female participants.

(b) The word "principal" used in the Rules and Regulations refers either to a male or female head of a secondary school. Therefore, according to correct grammatical usage, since the antecedent "principal" can involve or refer to persons of either or both sexes, the masculine pronouns he, him or his will refer to a male or female head of a secondary school.

(c) The words "this Commission" or the abbreviation WVSSAC used throughout these Rules and Regulations refers to THE WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION.

(d) The word coach used in these rules and regulations refers either to a male or female coach of a secondary school. Therefore, according to correct grammatical usage, since the antecedent "coach" can involve or refer to persons of either

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or both sexes, the masculine pronouns, he, him or his will refer to a male or a female coach.

§127-2-3 Enrollment and Team Membership.

3.1 To be eligible for participation in interscholastic athletics, a student must be enrolled in a member school on or before the eleventh instructional day of the semester in which he competes. 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 Appeals as follows:

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

(b) an exception would be granted for not more than ten students from the WV Schools for the Deaf and the Blind to participate at Hampshire County High School or Romney Junior High School (only in sports not available at WVSD&B).

(c) if member schools containing grades 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 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).

3.3 An ineligible student may practice 15 days prior to his date of becoming eligible provided that he is otherwise eligible. This rule applies only to an academically ineligible student or a student who falls under Transfer Rules 127-2-7.15, 127-2-7.16, 127-2-7.20, and Adoption Guardianship Rule 127-2-8.8.

Proposal 1

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

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

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

Sixth grade students will be eligible to participate in all middle school interscholastic sport teams except football.

3.5 Students enrolled in the ninth grade of a four, five or six year high school may participate on the high school team; however, once a student becomes a member of that team said student will be ineligible for the junior high team in that sport.

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.

Rationale:

1. With the major shift in West Virginia emphasizing the middle school concept, sixth graders should be eligible to participate interscholastically. Sixth graders can compete with and against eighth graders as can seventh graders compete with ninth graders. The age and growth factor would be no different.
2. Sixth grade students are part of the middle school. To deny them participation is discriminatory and prevents them from experiencing the benefits of the total school program.
3. Sixth grade students are participating already in community athletics (football, basketball, soccer, etc.). By allowing middle school participation, it would provide students with a well-organized, structured, and properly supervised activity.
4. A good intramural program is an important component of middle schools, but it should not be in place of an interscholastic program. A well-rounded, total school approach includes both programs.
5. Excluding football is in the best interests of sixth grade students for safety reasons.

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

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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. Reciprocal being students from the WV School for the Blind to also participate in sports at the WV School for the Deaf. This adoption would not be honored for the respective tournaments of the EDSAA (Eastern Schools for Deaf Athletic Association) and the EAAB (Eastern Athletic Association of the Blind.)

§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.

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5.2 In schools with 6 grades (7-12) and 5 grades (8-12), Rule 5.3 will govern seventh and/or eighth and nine through twelve (9-12) will be considered as a four-year school, as explained in Rule 5.1.

5.3 A student shall not participate for more than two seasons while in grades 7-8 in any interscholastic activity.

5.4 Students retained without failing.

(a) **Loss of eligibility.** A student held back in the seventh or eighth grade without failing shall lose one of his four years of high school eligibility for each year he is held back.

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

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

5.5 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. School records may be requested for verification.

5.6 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).

5.7 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.

5.8 Any part of a contest or interscholastic event in which a student competes shall be counted as a season for that sport in grades 7-12 and a semester of attendance in grades 9-12.

5.9 The Board of Appeals is authorized to grant exceptions 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.

(a) The Board is authorized to consider only those cases in which a student

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entering high school (explained in Rules 5.1 and 5.2) and 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.

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

(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.

§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.

(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.

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

(c) If a student is taking a multiple period subject, such as 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; however, part (a) above must also be met.

(d) If a student has been declared ineligible according to the standards outlined above, he or she may attend summer school and have his or her eligibility reinstated if the student meets the standards at the conclusion of summer school.

(e) If a student has been declared ineligible according to the standards outlined above, he or she may have his or her 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 taken from the West Virginia Department of Education, "Graduation Requirements for West Virginia Public Schools: Adolescent Education (Grades 9-12) (March 1982)."

6.3 Schools providing for planned programs of independent learning during the

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regular school term may not wish 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. Such credit must be earned during the regular school term.

6.5 In order for a withdrawn student or an expelled student to regain eligibility, said student must complete one semester of school work.

6.6 Any student who withdraws from school and does not re-enroll within 10 school days of that withdrawal date will lose his/her 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 In all cases, the official school transcript will be used to determine a student's eligibility and will be regarded as final.

6.9 On August 12, 1983, the State Board of Education adopted Policy #2436.10 (C-Rule). Students must maintain a 2.0 average to participate in interscholastic athletics. Be sure to read this policy for details. (See Appendix)

§127-2-7 Residence-Transfer.

Philosophy:

Following is a brief resume of the points of philosophy included in the residence and transfer rules of this Commission:

7.1 Participation in interscholastic athletics is a privilege provided for students who meet standards set by principals of all member schools.

7.2 Participation in interscholastic athletics is a privilege which should fundamentally be available to bona fide students in school zones where their parents or legally established guardians reside.

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7.3 Standards governing residence and transfer are a necessary prerequisite to participation in athletics because

- (a) They protect the opportunities of bona fide resident students to participate.
- (b) They provide a fundamentally fair and equitable framework in which interscholastic athletic competition in an educational setting can take place.
- (c) They provide uniform standards for all schools to follow in maintaining athletic competition.
- (d) They support the educational philosophy that participation in athletics is a privilege which must not be permitted to assume a dominant position in the school program.
- (e) They keep the focus of educators and students on the fact that students attend school to receive those requirements mandated by law first and athletics second.
- (f) They maintain the fundamental principle that a student should live at home with his parents and attend school in the school zone in which his parents reside.
- (g) They reinforce the view that the family is a strong and viable unit in our society and, as such, is the best place for a student to reside while attending school.
- (h) They prevent school hopping or shopping around for school or athletic programs which may suit an individual's personal interest.
- (i) They prevent "bumping" of students who have gained legitimate eligibility by persons from outside the school zone.
- (j) They serve as a deterrent to individuals who would seek to recruit student athletes to attend a particular school.
- (k) They serve as a deterrent to student athletes running away from discipline problems, teacher problems, coach or similar conflicts.
- (l) They protect school programs from losing students who have established an identity as an athlete and, as such, are contributors to the overall school program and image.

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(m) They tend to encourage competition between member nonpublic and public schools.

(n) They eliminate family financial status from becoming a factor on eligibility. The ability to pay or not to pay tuition creates a suspect classification.

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

Part A - Residence

7.5 A student shall be eligible in the zone in which his parents reside. Public secondary school 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 Appeals.

7.6 A student shall be eligible if he is enrolling to attend a secondary school for the first time at either a public school or a member nonpublic secondary school in the zone in which his parents reside, unless he has established eligibility under Rule 127-2-7.15 or Rule 127-2-7.21 in another attendance zone.

7.7 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 Appeals.

7.8 A student from a broken home who is in the care of the Department of Health and Human Services of West Virginia shall be eligible to participate in interscholastic athletics as a member of the athletic teams of the high school in the zone in which said Department of Public Assistance places him in a home, provided he is otherwise eligible under the rules of the West Virginia Secondary School Activities Commission.

7.9 A student may be eligible outside his specified zone of attendance if he has been in attendance in that zone the immediate preceding year (365 days) prior to entering a member secondary school. There can be no change of residence involving change of attendance zone during the immediate preceding year (365 days).

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

(b) A student whose parents have resided in the school zone for a minimum

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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:

1) Retain his/her eligibility as long as said student retains enrollment and attendance or:

2) Transfer at time of change of residence to the school in the attendance zone in which his/her parents are now residing and be eligible in that school or:

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

7.11 Students who have attended a given high school and whose parents move from the zone following the completion of the student's eleventh (11th) grade may retain eligibility for their twelfth (12th) grade, providing there is no undue influence to retain the attendance of such students.

7.12 Foreign exchange students, attending a member school under the auspices of approved student exchange programs, 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 his 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.

7.13 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 did not receive credits toward graduation while participating in the exchange program and provided the student meets all requirements relative to age and semesters of eligibility.

Part B - Transfer

7.14 A student becomes immediately eligible, providing he is otherwise eligible, 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 at least the following facts must exist:

a. 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 a residence by any member of the immediate family;

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- b. The entire family must make the change and take with them the household goods and furniture appropriate to the circumstances;
- c. The change must be made with the intent that it is permanent;
- d. Under no circumstance can a single family unit have two or more residences 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. 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;
- g. Under no circumstances can a residence change be used or manipulated for the purpose of gaining athletic eligibility.

7.15 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 district to which the student transfers. Students transferring out of attendance zone shall immediately forfeit eligibility in their home zone unless exempted by Rule 127-2-7.21.

7.16 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 public school zone to another public school zone in conjunction with transfer of schools unless exempted by Rule 127-2-7.21. 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 for the first time and (2) the principals of both private and public schools involved concur that undue influence is not involved with the transfer.

7.17 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 education programs(s) not available in the school zone from which the student is transferred. Upon the completion of the special program, the student must return to the school zone of his residence.

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

7.19 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.

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

- (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 sports;
- (d) Seeking a means to nullify punitive action by the previous school.

7.21 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 his/her 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.

7.22 The eligibility of a student whose parents are divorced is determined by the following:

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.

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.

c. If it becomes necessary at a later date for the student to reside with the other parent, the move will be accepted as a bona fide move if the court changes the custody to this parent. This type of move will be accepted for immediate athletic eligibility purposes only one time. Thereafter, if a student subsequently decides to return and reside with the first parent in a different school zone, the student will be ineligible for the remainder of that school year.

§127-2-8 Adoption Guardianship.

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8.1 A student athlete shall be able to participate in interscholastic athletics only if he/she is (1) residing with one or both of his/her parents; (2) residing with a testamentary guardian following the death of his/her parents; or (3) residing in a location where he/she was placed by the Department of Health and Human Resources pursuant to WVSSAC Rule 127-2-7.8.

8.2 The residence of a testamentary guardian shall constitute the residence of his 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 his testamentary guardian at the time of his 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 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:

- (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 sports;
- (d) 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 schools.

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.

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

(b) receiving any award or prize of monetary value which has not been approved by the student's state association;

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

(d) 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 West Virginia Secondary School Activities Commission office.

11.3 A high school student who loses amateur status may apply to the West Virginia Secondary School Activities Commission for reinstatement in the interscholastic program after a waiting period of one complete high school season (starting practice date to state tournament) for that sport.

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

- (a) that it does not occur on the day of a school contest of that sport or
- (b) that it meets with student's coach's approval.

§127-2-12 Participation as an Ineligible.

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

§127-2-13 Practice.

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

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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 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, gymnastics and wrestling providing:

- (a) participation is approved by the student's high school or junior high school principal.
- (b) the student misses no school-sponsored athletic event involving a team in that sport.

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

- (a) one selected by the national governing body of the sport,
- (b) while representing the National Federation in an International Schoolsport Federation, or
- (c) 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

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13.2 Member schools of the WVSSAC may practice on any day of the year with the exception of Sunday practice. Rule 127-3-15.2 further clarifies Sunday practice.

13.3 Individual players of a team must have practiced 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.

13.4 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.

13.5 An ineligible student may practice 15 days prior to his date of becoming eligible provided that he is otherwise eligible. This rule applies only to an academically ineligible student or a student who falls under Transfer Rules 127-2-7.15, 127-2-7.16, 127-2-7.20 and Adoption Guardianship Rule 127-2-8.8.

13.6 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, he/she may participate in another sport of the season after completing seven separate days of sport specific practice in the second sport.

13.7 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.