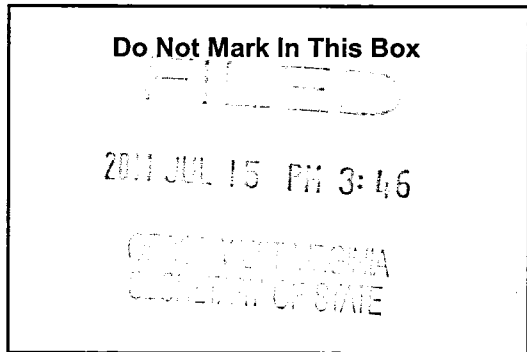


WEST VIRGINIA
SECRETARY OF STATE

NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

Form #5



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

AGENCY: Secondary Schools Activities Commission
West Virginia Board of Education TITLE NUMBER: 127

CITE AUTHORITY: W. Va. Constitution, Article XII, §2 and 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 September 13, 2011.

Charles K. Heinline
Deputy State Superintendent of Schools

EXECUTIVE SUMMARY
WEST VIRGINIA BOARD OF EDUCATION

Series 2, Athletics, Provisions Governing Eligibility
West Virginia Secondary School Activities Commission
Proposed Changes in Rules and Regulations

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 its 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 issues in the band and athletic programs.

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

Six proposals are being submitted to the State Board by the West Virginia 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. Helps utilize available facilities to reduce wait time for practices. (Vote: Yes-127 No-1)
2. Adds clarification to existing rule (Vote: Yes-128 No. 2)
3. Recommendation from WVSSAC sports Medicine Committee to clarify number of practices. (Vote: Yes-125 No-1)
4. To eliminate disparity between counties. (Vote: Yes-121 No-6)
5. Allow more athletes to participate in JV games. (Vote: Yes-122 No-4)
6. Clarify contest an individual must be removed from. (Vote: Yes-127 No-1)

IMPACT

Instruction

None

Leadership

None

Financial

None

Administrative

None

ATHLETIC ADMINISTRATORS, PRINCIPALS, AND COUNTY SUPERINTENDENTS 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.

Response to Comments:

Comments were received from eight individuals resulting in one correction to the proposed amendment at section 3.2.d.

WVSSAC
Rules and Regulations Handbook
2011-12 Proposed Rule Changes Passed by BOC

Proposal 1 (127-1)

Amend §127-2-3. Enrollment and Team Membership. (Pg. 16) as follows:

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 middle school/9th grade 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 middle school/9th grade team in that sport. Members of a 9th grade team may be grouped for practice with members of the varsity/jv team. However, if a 9th grade student participates, which would include but not limited to dressing, in a varsity/jv scrimmage or game that student becomes ineligible for the 9th grade team.

Joseph Findley, Principal
Grafton High School

Rationale:

Grouping of students for practice purposes will more efficiently utilize the available facilities, reduce the wait time for late practices and decrease late arrival home of participating students. The flexibility to group students for practice purposes provides a solution for several issues.

Proposal 2 (128-2)

Amend §127-2-10. Non-school Participation. (Pg. 22) as follows:

10.1. During the school year and while a member of a school team, a student shall neither participate, which would include, but not limited to, fund-raising activities, team picture, tryouts, etc., 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: cross country, golf, swimming, tennis, track, and wrestling, providing:

Constitution and By-Laws

Rationale:

To further clarify what students are not permitted to do while a member of a school team.

Proposal 3 (125-1)

Amend §127-2-13. Practice. (Pg. 24) by adding the following:

13.4.3 A student athlete who is absent from practice with their team for non-medical reasons, not under a doctor care, for more than fourteen (14) consecutive days must have the required full fourteen (14) practice days before resuming participation in a contest. Students participating in football must follow the practice progression as set forth in Rule 127-3-23.

Constitution and By-Laws

Rationale:

Recommendation from WVSSAC Sports Medicine Committee to clarify number of practices a student must have if they are absent from participation for non medical reason.

Proposal 4 (121-6)

Amend §127-3-10. Classification. (Pg. 38) as follows:

10.1. Each member high school shall be classified as either AAA, AA, or A based on the enrollment figures in grades 9-10-11 and 12 at the end of the second school month of the odd numbered year preceding the classification.

Leon Pilewski, Principal
Robert C Byrd High School

Rationale:

County boards of education and high schools have different policies and regulations regarding number of credits required to graduate and to be placed at a grade level. Counting all students in every high school eliminates this disparity.

Proposal 5 (122-4)

Amend §127-3-23. Football (Pg. 46) as follows:

23.4.1. The total number of quarters for a student in one season is ~~40~~ 50 exclusive of the play-off games.

Mike Wells, Principal
St. Marys High School

Rationale:

Athletes in small schools may need to play some JV Quarters in order to field a team and have a JV football game/team. Injuries and other unforeseen circumstances dictate athletes to play varsity quarters, limiting them to either play varsity or not play varsity and have no JV football game/team. This change would allow more athletes to participate in JV football games, rather than not have enough players to competitively field a team. Not having a JV football team not only affects the home school, but also limits football schedules for other teams and schools involved.

Proposal 6 (127-1)

Amend §127-4-2. Sportsmanship. (Pg. 55) as follows:

2.3. It shall be the responsibility of any team, student, coach, or attendant to remain in or a part of a contest until its normal end as provided by the National Federation Rules of that particular sport. The exception to the above would be provided by the same National Federation Rules of that particular sport. The penalty for a violation by a coach, student, or team attendant will not only involve ejection during that particular contest but shall also involve that student, coach, or team attendant not being a part of that school's team for the next regularly scheduled contest(s) or post season progression in a playoff tournament, as regulated in §127-4-3.7.3. The coach, student, or team attendant may practice in the days prior to the contest but may not dress or participate on the day of the contest. Rule 127-3-8 further explains the forfeiture consequences.

Constitution and By-Laws

Rationale:

To further clarify contest an individual must be removed from if in violation of Rule 127-4-2.

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

FILED
2011 JUL 15 PM 3:46
OFFICE OF THE CLERK
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. -- July 15, 2011.

1.4. Effective Date. -- September 13, 2011.

1.5. Repeal of Former Rule. This legislative rule amends 127CSR2, Athletics, Provisions Governing Eligibility, filed July 14, 2010 by the West Virginia Secondary Schools Activities Commission and effective September 13, 2010.

§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 W. Va. Code §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.a. if a feeder school does not afford students the opportunity to participate and they are otherwise eligible.

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3.2.b. for students from the WV Schools for the Deaf and the Blind (WVSD&B) to participate at Hampshire High School or Romney Middle School (only in sports not available at WVSD&B).

3.2.c. if member schools containing grades 6 and/or 7 and/or 8 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.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. Members of a 9th grade team may be grouped for practice with members of the varsity/jv team. However, if a 9th grade student participates, which would include but not limited to dressing, in a varsity/jv scrimmage or game that student becomes ineligible for the 9th grade team.

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.

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 freshman/middle school participation:

3.4.a. Middle School -- 6, 7 and 8 may compete with and against schools/teams of the same configuration.

3.4.b. Stand alone freshman programs may compete with and against schools/teams of the same grade configuration. An 8th grade student not provided the opportunity to participate at their member school because the sport is not offered may choose to participate on a stand alone freshman team at their feeder high school, provided the student is otherwise eligible.

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3.5. Sixth grade students may be eligible to participate in interscholastic sport teams, excluding football, in the middle school in which they are enrolled. Beginning school year 2009-2010 sixth grade students may be eligible to participate in all interscholastic sport teams, including football, in the middle school in which they are enrolled.

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.

3.10. Boarding students at member schools, with the exception of students at the WV Schools for the Deaf and Blind, are not eligible. (Definition: A boarding student is one who receives room and board that is provided by said school unless such residence is based on Court Order or State Action.)

§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.

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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.

5.3. Students retained without failing.

5.3.a. 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.b. 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.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 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.a. 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.

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

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

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 be enrolled in the equivalent of at least 20 periods (four subjects with full credit toward graduation) per week.

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

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

6.1.c. 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.d. 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.e. 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 §126-42-1 et seq., West Virginia Board of Education Policy 2510, Assuring the Quality of Education: Regulations for Education Programs.

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 9 weeks of school work to regain consideration for 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 or as established by local board of education policy.

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 126CSR26, 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.

§127-2-7. Residence-Transfer.

7.1. Part A -- Residence -- This residence rule applies to all students enrolled in grades 6-12 in both public and non-public member schools.

7.1.a. A student shall be eligible in the school located in the attendance 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. In the event the county board of education establishes overlapping attendance zones, a student shall be eligible at the school in which the student first chooses to enroll upon entering the ninth grade. Attendance zones of nonpublic member schools shall be established by their governing board and subject to approval by the Board of Directors. Said non-public member school's attendance zone shall not exceed the boundary of the county in which the school is located.

7.1.b. 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. A student shall be eligible at the school in which the student first chooses to enroll upon entering 9th grade.

7.1.c. 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.d. 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). There can be no

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change of residence involving change of attendance zone during the immediate preceding year (365 days).

7.1.e. A student whose parents have resided in the school zone for a minimum of one academic year in which the student has been in attendance for a minimum of one academic year and whose parents make a bona fide change of residence to a new school zone during the school term may:

7.1.e.1. Retain eligibility in the attendance zone where the parents previously resided as long as said student retains continuous enrollment and attendance or;

7.1.e.2. 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;

7.1.e.3. 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.f. A student whose parents have resided in the school zone for less than one academic year at which the student has been in attendance for less than one academic year and whose parents make a bona fide change of residence to a new school zone during the school term may:

7.1.f.1. Retain eligibility for the balance of the academic year, provided the said student retains continuous enrollment and attendance or;

7.1.f.2. 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;

7.1.f.3. If a student chooses to remain enrolled at the school outside the attendance zone in which his/her parents reside at the conclusion of the academic year the student will be ineligible for the next academic year.

7.1.g. 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.h. 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.

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7.2. Part B -- Transfer.

7.2.a. If a student transfers during the school year from one secondary school to another secondary school, said student shall be ineligible for 365 days from date of enrollment, absent a bona fide change of residence. Determination of a bona fide change of residence depends upon the facts of each case and is defined as, but not limited to:

7.2.a.1. 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 the immediate family;

7.2.a.2. The change is being made with the intent that the move is permanent;

7.2.a.3. The entire family must make the change;

7.2.a.4. Documentation of connection of utilities to the residence; power, water, waste, sewer;

7.2.a.5. Change of voter's registration, driver's license, mailing address, etc.

7.2.b. 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.c. 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.d. 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.e. 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 depends upon the facts of each case and is defined as, but not limited to:

7.2.e.1. Seeking a superior athletic team;

7.2.e.2. Seeking a team consistent with the student's ability;

7.2.e.3. Seeking relief from conflict with the philosophy or action of an administrator, teacher or coach relating to athletics;

7.2.e.4. Seeking a means to nullify punitive action by the previous school.

7.2.f. 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 9th grade 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. Once a student has been a member of a team that has participated in a scrimmage or contest, the student has established eligibility at that school.

7.2.g. TRANSFER BACK. During the 9th, 10th, 11th, and 12th grades, a student shall be entitled to one transfer back into the public member school located within the attendance zone where the student's parents reside, or to a non-public member school if said student had been enrolled in said non-public member school or non-public member feeder school during the 365 days prior to enrollment in the 9th grade, regardless of from where the student is transferring. Any student transferring under the provisions of this rule will not become eligible until the completion of the school year in which said transfer occurs. Eligibility will begin with the succeeding fall sports season, or immediately if the transfer back is completed on or before the eleventh instructional day of the beginning of the school year. Once a student has been a member of a team that has participated in a scrimmage or contest, the student has established eligibility at that school.

7.2.h. The eligibility of a student whose parents are divorced or legally separated is determined by a court decree establishing residency with one parent.

7.2.i. After establishing initial residency with one parent, all subsequent transfers will require a period of ineligibility for 365 days from date of enrollment 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.e.

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.

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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:

8.4.a. Seeking a superior athletic team;

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

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

8.4.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 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, which would include, but not limited to, funding-raising activities, team picture, tryouts, etc., 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: cross country, golf, swimming, tennis, track, and wrestling, providing:

10.1.a. participation is approved by the student's principal;

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

127CSR2

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.a. one selected by the national governing body of the sport;

10.2.b. while representing the National Federation in an International Schoolsport Federation; or

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

10.2.d. a qualifier for the West Virginia Golf Association's Amateur Championship or the United States Golf Association's United States Amateur Championship.

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 §127-2-10.2.

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

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

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

11.1.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 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 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.a. that it does not occur on the day of a school contest of that sport; or

11.4.b. 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 - Rules §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.a. on 7 SEPARATE days before participating in an interscholastic scrimmage;

13.4.b. 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.c. A student athlete who is absent from practice with their team for non-medical reasons, not under a doctor care, for more than fourteen (14) consecutive days must have the required full fourteen (14) practice days before resuming participation in a contest. Students participating in football must follow the practice progression as set forth in Rule 127-3-23.

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. (All other ineligible students may not practice.)

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

127CSR2

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.

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.

FISCAL NOTE FOR PROPOSED RULES

Rule Title: **W. Va. 127CSR 2, 3 and 4, Rules of the West Virginia Secondary School Activities Commission**

Type of Rule: Legislative Interpretive Procedural

Agency: West Virginia Secondary School Activities Commission

Address: 2875 Staunton Turnpike
 Parkersburg, West Virginia 26104

Phone Number: 304.485.5494

Email: gary.ray@wvssac.org

Fiscal Note Summary

Summarize in a clear and concise manner what impact this measure will have on costs and revenues of state government.

No state costs or revenues will be impacted by the proposed amendment of W. Va. 127CSR 2, 3 and 4, Rules of the West Virginia Secondary School Activities Commission.

Fiscal Note Detail

Show over-all effect in Item 1 and 2 and, in Item 3, give an explanation of Breakdown by fiscal year, including long-range effect.

FISCAL YEAR			
Effect of Proposal	Current Increase/Decrease (use "-")	Next Increase/Decrease (use "-")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	0	0	0
Personal Services	0	0	0
Current Expenses	0	0	0
Repairs & Alterations	0	0	0
Assets	0	0	0
Other	0	0	0
2. Estimated Total Revenues	0	0	0

Rule Title: **West Virginia Secondary School Activities Commission Series 2, 3 and 4**

3. **Explanation of above estimates (including long-range effect);**
Please include any increase or decrease in fees in your estimated total revenues.

No state costs or revenues will be impacted by the proposed amendment of W. Va. 127CSR 2, 3 and 4, Rules of the West Virginia Secondary School Activities Commission.

MEMORANDUM

Please identify any areas of vagueness, technical defects, reasons the proposed rule **would not** have a fiscal impact, and/or any special issues **not** captured elsewhere on this form.

No state costs or revenues will be impacted by the proposed amendment of W. Va. 127CSR 2, 3 and 4, Rules of the West Virginia Secondary School Activities Commission.

Signature of Agency Head or Authorized Representative

Date


Executive Director, West Virginia
Secondary School Activities Commission

April 7, 2011

Policy 127CSR2 Athletics, Provisions Governing Eligibility

Comment Log

May 14, 2011 – June 14, 2011

Action
 N: No Response
 NA: Not Accepted
 A: Accepted

Type
 - Negative
 + Positive
 o Neutral

Date	Individual/Organization	Comments	Action/ Type	Rationale
5/26/11	Brian Phipps	<p>127-2-3 Enrollment and Team Membership</p> <p>I feel that the same procedure for determining classification should remain the same, because the seniors counted will not be participants for that school the following which makes their number moot.</p> <p>I also feel that the WVSSAC could govern the existing enrollment procedure by setting very specific guidelines as to who is counted and how they are counted.</p> <p>I believe counting seniors is fair to the other 3 grades because it may put those athletes at an unfair disadvantage for possibly three years if the aforementioned senior class is large and would put the underclassmen in a division higher than they should be.</p>	N -	
5/23/11	Stacy Riffle	<p>I believe that the 8 semester rule should always be on a case by case basis. If a player/student is held back for any</p>	N -	

reason other than failing the year or behavioral problems, it should be given a great deal of consideration to allow this player/student to play if they keep up their grades and are age eligible. For example, if a student is having problems with other students (bullying) and choices to leave that school to be home schooled. The problem makers graduate or quit school, so the student returns, but stays in the same grade as when they left. If this student does this to make sure they are ready for college, then why do you punish them by taking sports away?? You have students constantly changing schools for sports reasons only, and if the families can afford to buy a house in the area or find a loop hole, it seems to be OK. But when some students make choices to keep them out of trouble, or to keep away from the wrong crowd, the WSSAC's rules seem to be punis! hment not allowing them to play. Sports may be the only thing that keeps a child passing or in school. Another example, what if a student steals a car at age 14 (9th grade) on his/her birthday Aug. 25. Goes to a juvenille facility for a 10 month sentence. Returns the following year in the 9th grade at 15 years of age. Are they allowed all for years of eligibilty in sports, since they meet all requirements?? There is a HUGE difference in

		<p>these students, but one can play sports their Senior year and one can't. So, Please look in to all cases individually and change your rules to give the WSSAC the option in all cases. Thank You.</p>		
5/16/11	Eric Morgan	<p>How can you have by laws that let girls try out for baseball but not allow boys to try out for softball? This violates Title IX. Schools do not offer softball to boys. Is this not a double standard? I disagree with not allowing student athletes to participate in league play or travel ball during their perspective seasons. If there are participants at the HS level that do not get sufficient playing time to improve, they should have options to do both. This can help young players and older players can play travel ball for exposure that can help them obtain athletic scholarships.</p>	N -	
6/3/11	Virginia Harris	<p>A typo is present at 3.2.d. In accordance with the "Proposed Rule Changes" (filed with the policy when it was placed on comment) the word "eligible" at the end of the paragraph must be corrected to read "ineligible".</p>	A o	

Policy 127CSR2 Athletics, Provisions Governing Eligibility

Comment Log

May 14, 2011 – June 14, 2011

Action Type
 N: No Response - Negative
 NA: Not Accepted + Positive
 A: Accepted o Neutral

Date	Individual/Organization	Comments	Action/Type	Rationale
5/25/11	Shan Earle	<p>127-2-10.1 Non-School Participation</p> <p>I feel that the rule needs to be eliminated! My daughter participates on a travel softball team throughout the summer and was recently punished or declared ineligible due to supposedly practicing with her travel team during the high school softball season. Nothing can change that ruling! It is too late for my daughter! I feel that the athletes in West Virginia are being hindered by this rule! In the surrounding states there is no limits or rule of this kind. For example, softball players in Virginia can play for multiple teams during the high school season without limits on pitching. These are the same athletes that my daughter and other softball players are competing against for scholarships! How can they compete for scholarships when they are hindered by a rule such as this! I have always been taught that there is no substitute for hard</p>	N -	

work! This rule punishes the athletes that strive to be great! It upsets me that we declare athletes ineligible for a season for practicing !

with another team and only suspend athletes for one game for violations such as drinking or fighting! I feel that we need to refocus and look at what is more important with our athletes in the state! If this rule continues to be enforced, I feel that the state will start losing more athletes to AAU or travel teams. When asked about her high school softball career, Jenny Finch said that she only played high school softball to stay in shape and that the real competition was in travel softball! I myself asked Ralph Weekly (Head Coach-University of Tennessee)at a softball clinic how many high school games does he see a year? His answer was zero! He said that he recruits players in the summer at travel softball events! My daughter recently told me that she would rather lift weights and work on conditioning during high school softball season. If she did this, she could play anytime, anywhere, and have a greater chance of getting a scholarship!

How do I convince my daughter not t! o do this? The fact is that this rule handcuffs our athletes! !

Let the athletes choose if they want to play or practice with other teams! What will be next? Maybe you shouldn't allow band

		members to play the piano in church on Sunday's!		
5/25/11	David Delk, FC Wheeling United Soccer	<p>This proposal is backwards, short-sighted and not in the best interest of the student-athletes. Schools, for example, will lose athletes to their Spring sports because of this rule. The State's best high school soccer players can play for their club teams in the Spring and compete, practice and play with better players making them more attractive candidates for college and improving the level of soccer in WV. This proposal would force many kids to choose one sport over another when such a choice is completely unnecessary and not in the best interest of the kids. The WVSSAC needs to do less and get out of my child's life outside of the high school. The WVSSAC will face litigation if it passes this rule, too many people are affected by it.</p>	N -	
5/17/11	John May	<p>Non school participation should be up to the parent/guardian of the respective athlete. I don't think that just because you're a high school athlete should keep you from participating in sports outside of the school. The whole state food program is conducted now on obesity and this is extra curricular involvement for students who may have that problem and give them</p>		

		<p>more exercising involvements. This will show how big of a joke the SSAC is if they pass this rule. Let the kids enjoy high school and play as many sports as they want. They only live once and you're trying to prevent them from enjoying high school athletics.</p>		
<p>5/15/11</p>	<p>Jeff Moore</p>	<p>It should be not be the SSAC's business what a child/student does in their OWN spare time. The SSAC should not be able to regulate what a student does on their own time. I have a daughter that plays AAU/Travel basketball and she is trying to do everything she can in order to get a scholarship offer to play basketball in college. The SSAC has NO right to dictate what/when she can play on her OWN time. Granted, all of her AAU stuff is after the season of basketball is over at her high school. I believe that the information provided was very vague and did not address the AAU type of play/format. But say she is running track for her high school are you stating that she cannot play AAU/Travel basketball? Again, I think that section of the proposal was extremely vague. It would be better to clarify these type issues as mine would not be the only one.</p>		

Virginia Harris

From: Gary Ray [Gary.Ray@wvssac.org]
Sent: Monday, May 16, 2011 8:20 AM
To: 'Regina Kerby'
Subject: FW: Comment Received for Policy WVSSAC (2011-05-13 23:21:21)

-----Original Message-----

From: Nobody [mailto:nobody@wvde.state.wv.us]
Sent: Friday, May 13, 2011 11:21 PM
To: fibanez@wvde.state.wv.us; gary.ray@wvssac.org
Subject: Comment Received for Policy WVSSAC (2011-05-13 23:21:21)

Please save this email in a "Comments Received Online" folder.
Your folder will be a backup. All comments are saved in our database.
The Complete Comments Report from the database can be found here:
<http://129.71.2.32/r.html?id=5a7226dd58af1c158cac8cc864ae2629>
This is an encrypted URL. Please Bookmark it.

Comment Received for Policy WVSSAC

#####

#

Name: Jeff Moore
Organization:
Email: jsmmas@suddenlink.net
Title:
Address1:
Address2:
City/State/Zip: Scott Depot, WV 25560
Role: Parent-Family
Posted: 2011-05-13 23:21:21
Posted from IP: 173.80.169.24

Comments for section 127-2-3 2 d Enrollment and Team Membership

Comments for section 127-2-10 1 Non-school Participation

It should be not be the SSAC's business what a child/student does in their OWN spare time. The SSAC should not be able to regulate what a student does on their own time. I have a daughter that plays AAU/Travel basketball and she is trying to do everything she can in order to get a scholarship offer to play basketball in college. The SSAC has NO right to dictate what/when she can play on her OWN time. Granted, all of her AAU stuff is after the

season of basketball is over at her high school. I believe that the information provided was very vague and did not address the AAU type of play/format. But say she is running track for her high school are you stating that she cannot play AAU/Travel basketball? Again, I think that section of the proposal was extremely vague. It would be better to clarify these type issues as mine would not be the only one.

Comments for section 127-2-13 4 c Practice

Virginia Harris

From: Nobody [nobody@wvde.state.wv.us]
Sent: Monday, May 16, 2011 12:46 PM
To: fibanez@wvde.state.wv.us; gary.ray@wvssac.org
Subject: Comment Received for Policy WVSSAC (2011-05-16 12:46:09)

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Comment Received for Policy WVSSAC

#####

Name: Eric Morgan
Organization:
Email: oviedobaseball@gmail.com
Title:
Address1: 2756 Sweet Springs Valley
Address2:
City/State/Zip: Gap Mills, Wv 24941
Role: Parent-Family
Posted: 2011-05-16 12:46:09
Posted from IP: 168.216.56.174

Comments for section 127-2-3 2 d Enrollment and Team Membership

I disagree with not allowing student athletes to participate in league play or travel ball during their perspective seasons. If there are participants at the HS level that do not get sufficient playing time to improve, they should have options to do both. This can help young players and older players can play travel ball for exposure that can help them obtain athletic scholarshps.

Comments for section 127-2-10 1 Non-school Participation

Comments for section 127-2-13 4 c Practice

Virginia Harris

From: Nobody [nobody@wvde.state.wv.us]
Sent: Monday, May 16, 2011 12:48 PM
To: fibanez@wvde.state.wv.us; gary.ray@wvssac.org
Subject: Comment Received for Policy WVSSAC (2011-05-16 12:48:13)

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Comment Received for Policy WVSSAC

#####

#

Name: Eric Morgan
Organization:
Email: oviedobaseball@gmail.com
Title:
Address1: 2756 Sweet Springs Valley
Address2:
City/State/Zip: Gap Mills, Wv 24941
Role: Parent-Family
Posted: 2011-05-16 12:48:13
Posted from IP: 168.216.56.174

Comments for section 127-2-3 2 d Enrollment and Team Membership

How can you have by laws that let girls try out for baseball but not allow boys to try out for softball? This violates Title IX. Schools do not offer softball to boys. Is this not a double standard?

Comments for section 127-2-10 1 Non-school Participation

Comments for section 127-2-13 4 c Practice

Virginia Harris

From: Gary Ray [Gary.Ray@wvssac.org]
Sent: Wednesday, May 18, 2011 7:58 AM
To: 'Regina Kerby'
Subject: FW: Comment Received for Policy WVSSAC (2011-05-17 22:10:08)

-----Original Message-----

From: Nobody [mailto:nobody@wvde.state.wv.us]
Sent: Tuesday, May 17, 2011 10:10 PM
To: fibanez@wvde.state.wv.us; gary.ray@wvssac.org
Subject: Comment Received for Policy WVSSAC (2011-05-17 22:10:08)

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Comment Received for Policy WVSSAC

#####

Name: John May
Organization:
Email: pantherbasketball2010@hotmail.com
Title:
Address1: PO box 40
Address2:
City/State/Zip: Kermit, WV 25674
Role: Parent-Family
Posted: 2011-05-17 22:10:08
Posted from IP: 75.109.6.4

Comments for section 127-2-3 2 d Enrollment and Team Membership

Comments for section 127-2-10 1 Non-school Participation

Non school participation should be up to the parent/guardian of the
respective athlete. I don't think that just because you're a high school
athlete should keep you from participating in sports outside of the school.
The whole state food program is conducted now on obesity and this is extra
curricular involvement for students who may have that problem and give them
more exercising involvements. This will show how big of a joke the SSAC is

if they pass this rule. Let the kids enjoy high school and play as many sports as they want. They only live once and you're trying to prevent them from enjoying high school athletics.

Comments for section 127-2-13 4 c Practice

Virginia Harris

From: Gary Ray [Gary.Ray@wvssac.org]
Sent: Tuesday, May 24, 2011 8:05 AM
To: 'Regina Kerby'
Subject: FW: Comment Received for Policy WVSSAC (2011-05-23 21:31:17)

-----Original Message-----

From: Nobody [mailto:nobody@wvde.state.wv.us]
Sent: Monday, May 23, 2011 9:31 PM
To: fibanez@wvde.state.wv.us; gary.ray@wvssac.org
Subject: Comment Received for Policy WVSSAC (2011-05-23 21:31:17)

Please save this email in a "Comments Received Online" folder.
Your folder will be a backup. All comments are saved in our database.
The Complete Comments Report from the database can be found here:
<http://129.71.2.32/r.html?id=5a7226dd58af1c158cac8cc864ae2629>
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Comment Received for Policy WVSSAC

#####

#

Name: Stacy Riffle
Organization:
Email: sriffle@bop.gov
Title: Mr.
Address1: Rt. 1 Box 274
Address2:
City/State/Zip: West Union, WV 26456
Role: Parent-Family
Posted: 2011-05-23 21:31:17
Posted from IP: 67.163.159.48

Comments for section 127-2-3 2 d Enrollment and Team Membership

I believe that the 8 semester rule should always be on a case by case basis.
If a player/student is held back for any reason other than failing the year
or behavioral problems, it should be given a great deal of consideration to
allow this player/student to play if they keep up thier grades and are age
eligible. For example, if a student is having problems with other students
(bullying) and choices to leave that school to be home schooled. The
problem makers graduate or quit school, so the student returns, but stays in
the same grade as when they left. If this student does this to make sure
they are ready for college, then why do you punish them by taking sports
away?? You have students constantly changing schools for sports reasons

only, and if the families can afford to buy a house in the area or find a loop hole, it seems to be OK. But when some students make choices to keep them out of trouble, or to keep away from the wrong crowd, the WVSSAC's rules seem to be punis!

hment not allowing them to play. Sports may be the only thing that keeps a child passing or in school. Another example, what if a student steals a car at age 14 (9th grade) on his/her birthday Aug. 25. Goes to a juvenile facility for a 10 month sentence. Returns the following year in the 9th grade at 15 years of age. Are they allowed all for years of eligibilty in sports, since they meet all requirements?? There is a HUGE difference in these students, but one can play sports thier Senior year and one can't. So, Please look in to all cases individually and change your rules to give the WVSSAC the option in all cases. Thank You.

Comments for section 127-2-10 1 Non-school Participation

Comments for section 127-2-13 4 c Practice

Virginia Harris

From: Gary Ray [Gary.Ray@wvssac.org]
Sent: Thursday, May 26, 2011 7:59 AM
To: 'Regina Kerby'
Subject: FW: Comment Received for Policy WVSSAC (2011-05-25 15:58:08)

-----Original Message-----

From: Nobody [mailto:nobody@wvde.state.wv.us]
Sent: Wednesday, May 25, 2011 3:58 PM
To: fibanez@wvde.state.wv.us; gary.ray@wvssac.org
Subject: Comment Received for Policy WVSSAC (2011-05-25 15:58:08)

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Comment Received for Policy WVSSAC

#####

Name: David Delk
Organization: FC Wheeling United Soccer
Email: ddelk@bhbglaw.com
Title: Registrar
Address1: 1226 Chapline Street
Address2:
City/State/Zip: Wheeling, WV 26003
Role: Business-Industry
Posted: 2011-05-25 15:58:08
Posted from IP: 67.17.174.146

Comments for section 127-2-3 2 d Enrollment and Team Membership

Comments for section 127-2-10 1 Non-school Participation

This proposal is backwards, short-sighted and not in the best interest of the student-athletes. Schools, for example, will lose athletes to their Spring sports because of this rule. The State's best high school soccer players can play for their club teams in the Spring and compete, practice and play with better players making them more attractive candidates for college and improving the level of soccer in WV. This proposal would force

many kids to choose one sport over another when such a choice is completely unnecessary and not in the best interest of the kids. The WVSSAC needs to do less and get out of my child's life outside of the high school. The WVSSAC will face litigation if it passes this rule, too many people are affected by it.

Comments for section 127-2-13 4 c Practice

Virginia Harris

From: Gary Ray [Gary.Ray@wvssac.org]
Sent: Thursday, May 26, 2011 8:01 AM
To: 'Regina Kerby'
Subject: FW: Comment Received for Policy WVSSAC (2011-05-25 21:40:27)

-----Original Message-----

From: Nobody [mailto:nobody@wvde.state.wv.us]
Sent: Wednesday, May 25, 2011 9:40 PM
To: fibanez@wvde.state.wv.us; gary.ray@wvssac.org
Subject: Comment Received for Policy WVSSAC (2011-05-25 21:40:27)

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Comment Received for Policy WVSSAC

#####

Name: Shan Earle
Organization:
Email: coache@shentel.net
Title: Coach
Address1: 211 Judy Street
Address2:
City/State/Zip: Petersburg, WV 26847
Role: Parent-Family
Posted: 2011-05-25 21:40:27
Posted from IP: 204.111.62.196

Comments for section 127-2-3 2 d Enrollment and Team Membership

Comments for section 127-2-10 1 Non-school Participation

I feel that the rule needs to be eliminated! My daughter participates on a travel softball team throughout the summer and was recently punished or declared ineligible due to supposedly practicing with her travel team during the high school softball season. Nothing can change that ruling! It is too late for my daughter! I feel that the athletes in West Virginia are being hindered by this rule! In the surrounding states there is no limits or rule

of this kind. For example, softball players in Virginia can play for multiple teams during the high school season without limits on pitching. These are the same athletes that my daughter and other softball players are competing against for scholarships! How can they compete for scholarships when they are hindered by a rule such as this! I have always been taught that there is no substitute for hard work! This rule punishes the athletes that strive to be great! It upsets me that we declare athletes ineligible for a season for practicing !

with another team and only suspend athletes for one game for violations such as drinking or fighting! I feel that we need to refocus and look at what is more important with our athletes in the state! If this rule continues to be enforced, I feel that the state will start losing more athletes to AAU or travel teams. When asked about her high school softball career, Jenny Finch said that she only played high school softball to stay in shape and that the real competition was in travel softball! I myself asked Ralph Weekly (Head Coach-University of Tennessee)at a softball clinic how many high school games does he see a year? His answer was zero! He said that he recruits players in the summer at travel softball events! My daughter recently told me that she would rather lift weights and work on conditioning during high school softball season. If she did this, she could play anytime, anywhere, and have a greater chance of getting a scholarship! How do I convince my daughter not t!

o do this? The fact is that this rule handcuffs our athletes! !

Let the athletes choose if they want to play or practice with other teams! What will be next? Maybe you shouldn't allow band members to play the piano in church on Sunday's!

Comments for section 127-2-13 4 c Practice

Virginia Harris

From: Gary Ray [Gary.Ray@wvssac.org]
Sent: Friday, May 27, 2011 8:04 AM
To: 'Regina Kerby'
Subject: FW: Comment Received for Policy WVSSAC (2011-05-26 13:37:51)

-----Original Message-----

From: Nobody [mailto:nobody@wvde.state.wv.us]
Sent: Thursday, May 26, 2011 1:38 PM
To: fibanez@wvde.state.wv.us; gary.ray@wvssac.org
Subject: Comment Received for Policy WVSSAC (2011-05-26 13:37:51)

Please save this email in a "Comments Received Online" folder.
Your folder will be a backup. All comments are saved in our database.
The Complete Comments Report from the database can be found here:
<http://129.71.2.32/r.html?id=5a7226dd58af1c158cac8cc864ae2629>
This is an encrypted URL. Please Bookmark it.

Comment Received for Policy WVSSAC

#####

Name: Brian Phipps
Organization: Nicholas County High School
Email: bphipps@access.k12.wv.us
Title: teacher/Coach
Address1: 30 Grizzly Road
Address2:
City/State/Zip: Summersville, WV 26651
Role: Teacher
Posted: 2011-05-26 13:37:51
Posted from IP: 168.216.95.60

Comments for section 127-2-3 2 d Enrollment and Team Membership

I feel that the same procedure for determining classification should remain the same, because the seniors counted will not be participants for that school the following which makes their number moot.
I also feel that the WVSSAC could govern the existing enrollment procedure by setting very specific guidelines as to who is counted and how they are counted.
I beleive counting seniors is fair to the other 3 grades because it may put those athletes at an unfair disadvantage for possibly three years if the aforementioned senior class is large and would put the underclassmen is a division higher than they should be.

Thank you for your consideration,

Brian Phipps
Nicholas County High School

Comments for section 127-2-10 1 Non-school Participation

Comments for section 127-2-13 4 c Practice

Virginia Harris

From: Gary Ray [Gary.Ray@wvssac.org]
Sent: Monday, June 06, 2011 9:50 AM
To: 'Regina Kerby'
Subject: FW: Comment Received for Policy WVSSAC (2011-06-03 16:59:21)

-----Original Message-----

From: Nobody [mailto:nobody@wvde.state.wv.us]
Sent: Friday, June 03, 2011 4:59 PM
To: fibanez@wvde.state.wv.us; gary.ray@wvssac.org
Subject: Comment Received for Policy WVSSAC (2011-06-03 16:59:21)

Please save this email in a "Comments Received Online" folder.
Your folder will be a backup. All comments are saved in our database.
The Complete Comments Report from the database can be found here:
<http://129.71.2.32/r.html?id=5a7226dd58af1c158cac8cc864ae2629>
This is an encrypted URL. Please Bookmark it.

Comment Received for Policy WVSSAC

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#

Name: Virginia Harris
Organization: West Virginia Board of Education
Email: vharris@access.k12.wv.us
Title:
Address1:
Address2:
City/State/Zip: ,
Role: Service Personnel
Posted: 2011-06-03 16:59:21
Posted from IP: 129.71.215.161

Comments for section 127-2-3 2 d Enrollment and Team Membership

A typo is present at 3.2.d. In accordance with the "Proposed Rule Changes"
(filed with the policy when it was placed on comment) the word "eligible" at the end of the paragraph must be corrected to read "ineligible".

Comments for section 127-2-10 1 Non-school Participation

Comments for section 127-2-13 4 c Practice