

WEST VIRGINIA
SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

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SECRETARY OF STATE

Form #2

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION TITLE NUMBER: 127

RULE TYPE: LEGISLATIVE RULES : CITE AUTHORITY: WV CODE 18-2-25

AMENDMENT TO AN EXISTING RULE: YES X NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 3

TITLE OF RULE BEING AMENDED: Provisions Governing Contests

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED:

TITLE OF RULE BEING PROPOSED:

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON JUNE 11, 1997 AT 5:00 PM. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

WVSSAC

ROUTE 9, BOX 76

PARKERSBURG, WV 26101

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

Warren Carter by jc

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

4.60

West Virginia



Secondary School
Activities Commission

ROUTE 9, BOX 76

PARKERSBURG, WV 26101-9158

TELEPHONE 485-5494
FAX NUMBER 428-5431

WARREN CARTER, EXECUTIVE SECRETARY
GERALD A. TREMBUSH, ASSISTANT EXECUTIVE SECRETARY
ELIZABETH W. BEST, ASSISTANT EXECUTIVE SECRETARY

April 11, 1997

Judy Cooper, Director Administrative Law Division
Secretary of State
Building 1, Suite 157-K
1900 Kanawha Blvd. East
Charleston, WV 25305

Dear Ms. Cooper:

Please find enclosed the Fiscal Note Worksheet, Executive Summary, Notice of Comment Period on a Proposed Rule, and the proposed changes for the WVSSAC Rules and Regulations Handbook.

Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Warren Carter".

Warren Carter
Executive Secretary

WC/rk

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	\$ 17,500	\$	\$ 26,750	\$ 44,250	\$
PERSONAL SERVICES	\$ (1a) 3,000	\$	\$ (1a) 5,000	\$ (1a) 8,000	\$
CURRENT EXPENSES	(1b) 2,100		(1b) 3,500	(1b) 5,600	
REPAIRS /ALTERATIONS	(1c) 900		(1c) 1,500	(1c) 2,400	
EQUIPMENT	(1d) 10,500		(1d) 16,750	(1d) 27,250	
OTHER	(11) 1,000		(11) 0	(11) 1,000	
2. ESTIMATED TOTAL REVENUES	\$ 0	\$	\$ 0	\$ 0	\$

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

Proposal 1

- a. If the number of administrative districts is raised from five to eight, the amount of annual student scholarships of \$1,000 each would increase from \$5,000 to \$8,000.
- b. If the number of administrative districts is raised from five to eight, three additional representatives would need to be added to each of the fourteen Sport Coaches' Committees. Currently, each representative's expenses is \$50.00 annually. The increase of 42 more representatives would be an additional expense of \$2,100.00.
- c. If the number of administrative districts is increased, the number of Board of Appeals members would increase from five to eight. There would be an increase of \$900 in personal services due to a \$300 honorarium received by each member.
- d. The current expense for each board member is \$3,350 annually. The additional three members would result in an increase expense of \$10,050.

Proposal 11

The issuance of additional courtesy and identification cards would impact the number of paid admissions at WVSSAC tournament contests. This would result in a \$1,000 annual decrease in revenue.

4/9/97
DATE

WV Secondary School Activities Commission
AGENCY


AUTHORIZED REPRESENTATIVE

TITLE 127
LEGISLATIVE RULES
WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION

SERIES 3
PROVISIONS GOVERNING CONTESTS

APR 14 1 25 PM '87
OFFICE OF THE SECRETARY
SECRET

***09 §127-3-1 General.**

- 1.1 **Scope** - These rules govern the conduct of athletic contests
- 1.2 **Authority** - WV Code §18-2-25
- 1.3 **Filing Date** -
- 1.4 **Effective Date** - July 1, 1987

***09 § 127-3-2 Duties and Responsibilities of the Principal.**

- 2.1 The principal of each member school is recognized as the school representative and as such is accountable to the Commission for conduct of the athletic program of that school.
- 2.2 The principal shall have the duty of seeing that all the members of the school staff who deal with athletics and all student athletes are made aware and are required to adhere to the rules and regulations of this Commission. Failure of the principal in performing this responsibility will not prevent the Commission from enforcing said rules.
- 2.3 The principal shall have the authority to delegate some of his responsibilities or duties; however, such delegation shall not relieve said principal of the responsibility of any infraction of the rules and regulations of this Commission by the members of his staff.
- 2.4 The principal has the authority to designate a member of the faculty who must accompany each team away from home. Said principal may also appoint a substitute member of the faculty in cases where deemed necessary.
- 2.5 The principal is responsible for providing adequate team and crowd control measures at all contests in which the school participates; assuring that the school's participants and fans conduct themselves in a proper manner; and assuring that all visiting fans and officials are provided adequate protection at home games. In situations where contests are played on neutral sites, it will be the responsibility of both participating school principals. Penalties may be imposed upon either or both schools in these situations.
- 2.6 The principal has the right to exclude a contestant who, because of bad habits or improper conduct, would not represent his school in a becoming manner, a student who fails to maintain a satisfactory scholastic standing, or a student who has been excluded for a serious illness or injury until a physician has pronounced him physically fit.
- 2.7 The principal will be responsible for signing all game contracts when necessary, seeking sanctioning of necessary events, and signing all certificates of eligibility prior to contestant participation.
- 2.8 The principal may designate his assistant principal or other faculty member to provide representation at a Board of Control meeting which is further explained in the Constitution.
- 2.9 The principal shall have such other powers as will encourage the growth, development and expansion of the athletic program for the welfare of the students, the school and the West Virginia Secondary School Activities Commission.

TITLE 127
LEGISLATIVE RULES
WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION

SERIES 2
ATHLETICS, PROVISIONS GOVERNING ELIGIBILITY

***09 §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

Proposal 10

Amend §127-2-13 - Practice - (pg. 27) by adding a new section as follows:

- 13.1 The frequency and length of practice is at the discretion of each member school.
- 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 127-2-7.17, 127-2-7.18, 127-2-7.22 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 7 separate days of sport specific practice in the second sport.

Rationale:

This rule explains the interpretations which have been in effect but had not been written.

2.10 The principal and vice-principal of each member school shall be allowed admittance to any West Virginia Secondary School Activities Commission sponsored event. This admittance will be by presentation of the WVSSAC Courtesy Card and a photo identification.

Proposal 11

Amend §127-3-2 - **Duties and Responsibilities of the Principal** - (pg. 29) by adding a new section as follows:

2.11 The secondary principal and assistant principal of each member school who upon retirement is a member in good standing with the WVSSAC shall receive a WVSSAC permanent Courtesy and Identification Card. This card shall allow admittance to any WVSSAC sponsored event. This admittance will be by presentation of the WVSSAC Courtesy Card and photo identification.

Rationale:

This would be a reasonable benefit to provide retirees who wish to on occasion attend WVSSAC sponsored events. These cards could be presented by the executive secretary at the spring meeting or fall meeting of the WVSSAC when the executive secretary gives his/her report. The recipient will be responsible for notifying the WVSSAC office to make the request for the Courtesy and Identification Card.

TITLE 127
LEGISLATIVE RULES
WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION

SERIES 3
PROVISIONS GOVERNING CONTESTS

***09 §127-3-1 General.**

- 1.1 **Scope** - These rules govern the conduct of athletic contests
- 1.2 **Authority** - WV Code §18-2-25
- 1.3 **Filing Date** -
- 1.4 **Effective Date** - July 1, 1987

***09 §127-3-7 Camps/Out-of-Season Coaching.**

Philosophy:

Students should have the opportunity to engage voluntarily in school sponsored sports activities provided that the student is eligible, that such activities do not interfere with the students' educational development and the activities do not conflict with the principles of wholesome amateur athletics. The WVSSAC wishes to enhance that opportunity while at the same time discouraging the exploitation of student athletes by overzealous individuals and organizations who attempt to impose an obligation or pressure on the student-athlete. There has been growing evidence of commercialism and specialization of secondary school athletes. Experience has revealed that such occurrences tend to divide the allegiance of students, undermine their respect for coaches and officials, and encourage the type of adulation which gives students an exaggerated sense of importance of their own athletic prowess. Rather, athletic participation should be used for the pleasure and satisfaction that is derived from athletic competition in a variety of experiences.

- 7.1 School-organized out-of-season practice or school-organized summer camps shall not be permitted.
- 7.2 A coach or surrogate may not be present as an observer, lecture participant, staff member, or in any capacity at any summer camp where the number of his athletes (students who would be under his supervision the next season in that sport) exceeds fifty percent of the number of persons designated as the starting line-up or cheerleading squad (i.e. basketball - two or less; football - five or less; wrestling - six or less; baseball - four or less; etc.). Nor may a school or related organization be involved in fund raising projects to subsidize student attendance at or in camps.
- 7.3 A coach or surrogate shall not work with individuals in any form of drills or practice of his coaching assignment except during those dates specified as the season for that specific sport.
- 7.4 Students throughout the school year who are not participating in a school's athletic program may voluntarily participate in an off season conditioning program. **This program may also occur during the summer subject to Board of Education approval and the following provisions:**
 - (a) Participation in the program must be open to all students enrolled in school.
 - (b) Participation is voluntary and is not required directly or indirectly for membership on a school squad.
 - (c) Participants will provide their own clothing (sweatsuit, shoes, etc.).

- (d) Activities will be limited to running, weight training, and stretching exercises. Agility drills that do not involve specific skills of a given sport are permitted.
- (e) Specific equipment pertaining to a given sport may not be used. This includes such items as footballs, basketballs, volleyballs, wrestling mats, discus, etc.
- (f) In those cases where schools schedule all athletes into the last period of the school day, the guidelines in items (c), (d), and (3) shall apply unless the class is considered a part of the physical education program and credit is given. There shall be no teaching of sport specific skills taught in this case unless those same skills and course of study are taught in all physical education classes at this same time of the school year.
- (g) The Board of Education may choose to compensate the supervisor or director.

7.5 Coaches may not promote, initiate, organize, supervise, or participate in out-of-season events involving athletes of the same sport as their coaching assignment. **An exception to the above is where the Board of Education would approve a coach to organize and/or supervise a recreation program for youth.** However, this type assignment must be recreational in nature, include a variety of activities, and comprise no coaching or instruction of that same sport as his school coaching assignment. In addition to the above, gymnasiums or facilities opened for recreational activities must use the following guidelines:

- (a) The gymnasium or field is open to all students for participation.
- (b) A variety of activities is available to students and is not limited to one sport or activity on a given day.
- (c) Supervisor or director must be approved by the Board of Education.
- (d) There is no coaching or instruction in the skills and technique in any sport.
- (e) Comparable opportunities are provided both sexes.
- (f) Participation is voluntary and is not required directly or indirectly for membership on a school squad.

The school administration assumes the responsibility for making certain that there is adherence to these guidelines.

Proposal 12

Amend §127-3-7 - **Camps/Out of Season Coaching** - (pg. 31) by adding a new section as follows:

7.6 Coaches may participate in a formal development program of the U.S. Olympic Committee (USOC) involving athletes of the same sport as their coaching assignments. The formal development program must be under the official guidance of the USOC through the National Governing Body (NGB) of the sport. The NGB must assure in writing to the WVSSAC that coaches will receive formal orientation and that strict supervision and monitoring of coaches will ensure that no recruitment or inappropriate influence will be exerted on players.

Rationale:

Certain sports identify potential Olympic Team members by methods which include activities at the local or state level. This proposal would allow scholastic coaches to share their knowledge, expertise and experience through participation in the Olympic development process. Coaches and players will benefit from their involvement and the exposure to the Olympic sports experience.

TITLE 127
LEGISLATIVE RULES
WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION

SERIES 3
PROVISIONS GOVERNING CONTESTS

***09 §127-3-1 General.**

- 1.1 **Scope** - These rules govern the conduct of athletic contests
- 1.2 **Authority** - WV Code §18-2-25
- 1.3 **Filing Date** -
- 1.4 **Effective Date** - July 1, 1987

***09 §127-3-10 Classification.**

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

Proposal 13

Amend §127-3-10 - **Classification** - (pg. 35) as follows:

- 10.3 A school may ~~wish choose~~ to compete in WVSSAC tournaments in a one class ~~higher than~~ above its enrollment ~~classification in a given sport~~ providing proper notification is made to the WVSSAC prior to April 1st of a new classification year. Approval of this option will be for a two year period and will be effective for all sports sponsored by the school.

Rationale:

This will allow for the decision on classification to be made by the athletic department as a whole. Also, this will help eliminate confusion as schools deal with each other in scheduling events.

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

TITLE 127
LEGISLATIVE RULES
WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION

SERIES 3
PROVISIONS GOVERNING CONTESTS

***09 §127-3-1 General.**

- 1.1 **Scope** - These rules govern the conduct of athletic contests
- 1.2 **Authority** - WV Code §18-2-25
- 1.3 **Filing Date** -
- 1.4 **Effective Date** - July 1, 1987

***09 §127-3-22 Cheerleading.**

- 22.1 **Rules:** Cheerleading rules established by the West Virginia Secondary School Activities Commission will be used as the official rules for all interscholastic competition and regular season contests.
- 22.2 **Organized Practice:** Organized squad practice will begin on Monday of Week 5.

Proposal 14

Amend §127-3-22 - Cheerleading - (pg. 42) as follows:

- 22.3 **Length of Season:** The cheerleading season will end on the last day of the ~~school term~~ Girls' State Basketball Tournament or Boys' State Basketball Tournament.

Rationale:

Since tryouts are not permitted until August, there is no reason for a cheerleading squad to continue practice after March.

- 22.4 **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.**
- 22.5 A student may accept awards in West Virginia Secondary School Activities Commission sanctioned events and non-sanctioned events during the entire year. These awards must be consistent with the items mentioned in the awards rule.

TITLE 127
LEGISLATIVE RULES
WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION

SERIES 3
PROVISIONS GOVERNING CONTESTS

***09 §127-3-1 General.**

- 1.1 **Scope** - These rules govern the conduct of athletic contests
- 1.2 **Authority** - WV Code §18-2-25
- 1.3 **Filing Date** -
- 1.4 **Effective Date** - July 1, 1987

***09 §127-3-30 Track and Field (Boys and Girls).**

- 30.1 **Rules:** Track and Field rules published by the National Federation of State High School Associations are the official rules for all interscholastic competition unless otherwise provided by Commission modification.
- 30.2 **Organized Team Practice:** Organized team practice will begin on Monday of Week 35 and the first contest may be on Wednesday of Week 37.
- 30.3 **Length of Season:** The track and field season will end with the State Finals on Saturday of Week 47.
- 30.4 **Maximum Team Contests:** A track and field team will be permitted 16 meets exclusive of sectional, regional, and state contests.
- 30.5 **Participation Limitations:** Maximum of 4 events per participant per meet.
- 30.6 **Scrimmages:** Not permitted.
- 30.7 **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.**
- 30.8 A student may accept awards in WVSSAC sanctioned events and non-sanctioned events during the entire year. These awards must be consistent with the items mentioned in the awards rule.

JUNIOR HIGH SCHOOLS

- 30.9 The above will apply for junior high schools with the following adaptations:
 - (a) Junior high teams will be permitted 14 meets and only 2 meets per week.

Proposal 15

Amend §127-3-30 - Track and Field (Boys and Girls) - (pg. 51) as follows:

- 30.9(b) Participation limitation: ~~9th grade students~~ Junior high/middle school athletes, regardless of grade level (7, 8, or 9), may compete in a maximum of four events of which only three may be running events including relays. 7th and 8th grade students may compete in a maximum of three events. Teams of combined 7th, 8th, and 9th grades may participate in four events.

Rationale:

This rule change provides 7th & 8th grade student athletes in a middle school with the same opportunities provided for those in junior high schools track programs.

TITLE 127
LEGISLATIVE RULES
WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION

SERIES 3
PROVISIONS GOVERNING CONTESTS

***09 §127-3-1 General.**

1.1 Scope - These rules govern the conduct of athletic contests

1.2 Authority - WV Code §18-2-25

1.3 Filing Date -

1.4 Effective Date - July 1, 1987

***09 §127-3-31 Volleyball (Girls).**

31.1 Rules: Volleyball rules published by the National Federation of State High School Associations are the official rules for all interscholastic competition unless otherwise provided by Commission modification.

31.2 Organized Team Practice: Organized team practice will begin on Monday of Week 7 and the first contest may be played on Wednesday of Week 9.

31.3 Length of Season: The volleyball season will end for each team by tournament elimination.

31.4 Maximum Team Contest: A volleyball team will be permitted 22 matches exclusive of sectional, regional, and state contests.

Dual, triangular and quadrangular matches count as one. Matches in which five or more schools participate count as two.

(a) One alumni game may be played and not counted against the total number of games. The game must be between a team representing a member school and a team composed of alumni of the member school and/or alumni of schools consolidated to form the member school. The game may be played no earlier than the date specified for the first contest.

Proposal 16

Amend §127-3-31 - Volleyball (Girls) - (pg. 51) as follows:

31.5 In dual competition, a player may participate in a maximum of three games against the same opponent if a match is 2 of 3 games and five (5) games if the varsity match is 3 of 5 games.

Rationale:

This rule change conforms to volleyball standards as set forth by the National Federation of State High School Associations.

31.6 Scrimmages: Two volleyball scrimmages with another high school may be conducted with the following conditions: after 7 days of practice; prior to the first game; no score kept; free substitution; time outs are permitted; the use of registered officials would not be a violation of game conditions.

31.7 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.

31.8 A student may accept awards only in WVSSAC sanctioned events during the season of that sport. These awards must be consistent with the items mentioned in the awards rule. Students may accept only this same type of award in non-sanctioned events outside the sport season.

JUNIOR HIGH SCHOOLS

31.9 The above will apply for junior high schools with the following adaptations:

- (a) Junior high teams will be permitted 16 matches.**
- (b) Organized team practice will begin on Monday of Week 8 and the first contest may be played on Wednesday of Week 10.**
- (c) Junior high season will be completed by Saturday of Week 18.**
- (d) Junior high teams are permitted one (1) scrimmage under the same conditions as a high school.**