

WEST VIRGINIA  
SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

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JUN 17 3 07 PM '98

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

Form #5

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

AGENCY: WV SECONDARY SCHOOL ACTIVITIES COMMISSION TITLE NUMBER: 127

CITE AUTHORITY: WV CODE 18-2-25

RULE TYPE: PROCEDURAL \_\_\_\_\_ INTERPRETIVE \_\_\_\_\_

EXEMPT LEGISLATIVE RULE X

CITE STATUTE(S) GRANTING EXEMPTION FROM LEGISLATIVE REVIEW

WV CODE 29-1-1-3 (B)

AMENDMENT TO AN EXISTING RULE: YES X NO \_\_\_\_\_

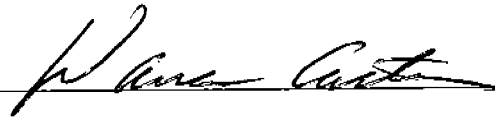
IF YES, SERIES NUMBER OF RULE BEING AMENDED: IV

TITLE OF RULE BEING AMENDED: PROVISIONS GOVERNING CONDUCT

IF NO, SERIES NUMBER OF NEW RULE BEING ADOPTED: \_\_\_\_\_

TITLE OF RULE BEING ADOPTED: \_\_\_\_\_

THE ABOVE RULE IS HEREBY ADOPTED AND FILED WITH THE SECRETARY OF STATE. THE  
EFFECTIVE DATE OF THIS RULE IS: \_\_\_\_\_ Aug 15, 1998

  
\_\_\_\_\_

\$3.20

**EXECUTIVE SUMMARY  
WEST VIRGINIA BOARD OF EDUCATION**

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

**PUBLIC COMMENT PERIOD ENDS:** May 22, 1998 **ADOPTED:** \_\_\_\_\_

**BACKGROUND**

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

**PURPOSE**

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

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

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

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

1. Changes the number of administrative districts from five to eight. (Vote: Yes-87 No-24)
2. Limits the term of an elected Board of Appeals member to two years and limits number of successive terms to two terms. (Vote: Yes-110 No-07)
3. Bases election of Board of Appeals principal members on RESA districts; principals will only vote for members in their district. (Vote: Yes-91 No-16)
4. Limits the term of appointed Board of Appeals members to two regular two year terms and allows appointed member to serve as an officer. (Vote: Yes-105 No-4)
5. Allows the person who proposed a rule to present the proposal to the WV State Board of Education. (Vote: Yes-75 No-31)

6. Allows students in WV School for Deaf and WV School for Blind to participate in sports at either school. (Vote: Yes-123 No-0)
7. Clarifies means of establishing eligibility. (Vote: Yes-116 No-0)
8. Defines bona fide change of residency. (Vote: Yes-84 No-34)
9. Clarifies eligibility for transfers during the school year and grants eligibility to any student who transfers and enrolls on or before the eleventh instructional day beginning the school term. (Vote: Yes-68 No-25)
10. Defines eligibility of a student whose parents are divorced during the school term. (Vote: Yes-111 No-2)
11. Allows the WVSSAC to issue complimentary Courtesy and Identification cards to retired coaches with at least 20 years of coaching experience. (Vote: Yes-112 No-6)
12. Allows a coaching staff member to provide individual or group instruction for 10 separate days from June 1 to July 31. (Vote: Yes-91 No-22)
13. Allows for reclassification during the second year of the classification period for consolidated schools. (Vote: Yes-118 No-0)
14. Allows 31 baseball games if participating in a conference tournament. (Vote: Yes-108 No-3)
15. Allows for 21 basketball games if participating in a four team tournament and 22 games if participating in an eight team tournament. (Vote: Yes-110 No-0)
16. Clarifies junior high/middle school basketball number of quarters per day and clarifies no holiday tournaments or alumni games. (Vote: Yes-109 No-0)
17. Changes the end of the junior high/middle school cheer season to coincide with the last day of the junior high/middle school girls' or boys' basketball season. (Vote: Yes-118 No-0)
18. Defines overtime periods for junior high school football. (Vote: Yes-114 No-0)
19. Defines the number of quarters for a player for one soccer season. (Vote: Yes-100 No-0)
20. Allows 31 softball games if participating in a conference tournament. (Vote: Yes-117 No-0)
21. Determines the end of the junior high track season. (Vote: Yes-113 No-0)
22. Clarifies that alumni games are only allowed for high school volleyball teams. (Vote: Yes-110 No-0)
23. Changes the penalties for coach, player, or bench personnel who are ejected from a contest. (Vote: Yes-92 No-21)

IMPACT

Instruction

None

Leadership

The addition of a total of three Board of Appeals members would influence the leadership of the WVSSAC.

Financial

Two of the proposals would collectively result in increased expenses of \$19,500. Specific amount of increase for each of the proposals is explained on the Fiscal Note Worksheet.

Administrative

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

# FISCAL NOTE WORKSHEET

(Submit 4 copies)

HD NO. \_\_\_\_\_ DRAFT NO. \_\_\_\_\_ BILL NO. \_\_\_\_\_ RESOLUTION NO. \_\_\_\_\_

SUBJECT WV Secondary School Activities Commission FUND \_\_\_\_\_

SOURCE OF REVENUE:  GENERAL FUND  SPECIAL  OTHER (SPECIFY) \_\_\_\_\_

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

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

SHOW OVER-ALL EFFECT IN ITEMS 1 AND 2, AND GIVE EXPLANATION OF BREAKDOWN BY FISCAL YEAR INCLUDING LONG RANGE EFFECT IN ITEM 3.

EFFECT OF PROPOSAL	ANNUAL		FISCAL YEAR		
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
1. ESTIMATED TOTAL COST	\$ 19,500	\$	\$ 26,750	\$ 46,250	\$
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) 3,000		(11) 0	(11) 3,000	
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 an estimated \$3,000 annual decrease in revenue.

4/8/98

DATE

WV Secondary School Activities Commission

AGENCY

*Warren Carter*

AUTHORIZED REPRESENTATIVE

TITLE 127  
LEGISLATIVE RULES  
WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION

SERIES 4  
PROVISIONS GOVERNING CONDUCT

**§127-4-1 General.**

- 1.1 **Scope** - These rules govern conduct for active and spectator participants, coaches and all other school personnel at interscholastic athletic events.
- 1.2 **Authority** - WV Code §18-2-5
- 1.3 **Filing Date** -
- 1.4 **Effective Date** - July 1, 1987

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**§127-4-2 Sportsmanship.**

- 2.1 Member schools are required to conduct all relations with other schools in a spirit of good sportsmanship. Acts which are prima facie evidence of failure to abide by this rule are those which are noted below and others of similar nature which violate the accepted code of good sportsmanship.
- 2.2 It shall be the responsibility of the home schools to take proper steps and precautions to insure that crowd and spectator control is handled reasonably at all interscholastic athletic contests. In addition to the spectators, attention must be directed to the safety, comfort and security of the coaches, officials, and players. Their seating accommodations should protect them from spectator interference.
- 2.3 It shall be the responsibility of any team, player, 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, player, or team attendant will not only involve ejection during that particular contest but shall also involve that player, coach, or team attendant not being a part of that school's team for the next regularly scheduled contest at that level of competition. The coach, athlete, or team attendant may practice in the days prior to the contest but may not dress or participate on the day of the contest.
- 2.4 It shall be the responsibility of a member school to use every means at its disposal to impress upon its faculty, student body, team members, coaching staff, and officials the values of sportsmanship in preparation for the conduct and management of interscholastic contests.
- 2.5 It shall be the responsibility of an administrator, spectator, athlete, cheerleader, or coach to follow those directions provided for in the Code for Interscholastic Athletics.

**§127-4-3 Code for Interscholastic Athletics.**

- 3.1 The school administrator shall:
- (a) Encourage and promote friendly relationships and good sportsmanship throughout the school by requiring courtesy and proper decorum at all times, by acquainting students and others in the community with ideals of good sportsmanship and by so publicizing these concepts and attitudes that all members of the school and community will understand their meaning.
- (b) Insist upon implicit compliance with all rules and regulations of the West Virginia Secondary School Activities Commission, hereinafter referred to in this rule as the WVSSAC.

- (c) Secure qualified officials for all contests.
- (d) Insist upon adequate safety provisions for all activities, for both participants and spectators.
- (e) Approve only those activities and schedules which are educationally and physically sound for the school pupil.
- (f) Encourage all to judge the success of the athletic program on the basis of the education goals and the attitude of the participants and spectators, rather than on the basis of the number of games won or lost.
- (g) Insist that the school cheerleaders exemplify the highest standards of good sportsmanship as a means of inculcating desirable spectator attitudes.
- (h) Provide adequate hygienic, sanitary, and attractive facilities for the dressing and housing of visiting teams and officials.
- (i) Review with staff the Sportsmanship Rule.

3.2 The coach shall:

- (a) Exemplify behavior that is representative of the educational staff of the school and a credit to the teaching profession.
- (b) Demonstrate high ideals, good habits, and desirable attitudes in personal behavior and demand the same standards of the players.
- (c) Recognize that the purpose of competition is to promote the physical, mental, social, and emotional well-being of the individual players and that the most important values of competition are derived from playing the game fairly.
- (d) Be a modest winner and a gracious loser.
- (e) Maintain self-control at all times, accepting adverse decisions without public display of emotion or of dissatisfaction with the officials.
- (f) Cooperate with the school principal in the planning, scheduling and conduct of sports activities.
- (g) Employ accepted educational methods in coaching, giving all players an opportunity to use and develop initiative, leadership, and judgment.
- (h) Pay close attention to the physical condition and well-being of the players refusing to jeopardize the health of an individual for the sake of improving his team's chances to win.
- (i) Teach athletes that it is better to lose fairly than win unfairly.
- (j) Prohibit gambling, profanity, abusive language, and similar violations of the true sportsman's code.
- (k) Refuse to disparage an opponent, an official, or others associated with sports activities and discourage gossip and questionable rumors concerning them.
- (l) Properly supervise student athletes under his immediate care and specifically observe a coach's responsibilities in conjunction with state sponsored contests.

3.3 The spectator shall:

- (a) Realize that he represents the school just as definitely as does the member of a team, and, therefore, has an obligation to be a true sportsman, encouraging through this behavior the practice of good sportsmanship by others.

- (b) Recognize that good sportsmanship is more important than victory by approving and applauding good team play, individual skill and outstanding examples of sportsmanship and fair play exhibited by either team.
- (c) Recognize that, since the primary purpose of interscholastic athletics is to promote the physical, mental, moral, social, and emotional well-being of the players through the medium of contests, victory or defeat is in reality of secondary importance.
- (d) Treat visiting teams and officials as guests, extending to them every courtesy.
- (e) Be modest in victory and gracious in defeat.
- (g) Respect the judgment and integrity of officials, realizing that their decisions are based upon game conditions as they observe them.

3.4 The athlete shall:

- (a) Be courteous to visiting teams and officials.
- (b) Play hard and to the limit of his ability. The true athlete does not give up, nor does he quarrel, cheat, bet, or grandstand.
- (c) Be modest when successful and be gracious in defeat. A true sportsman does not offer excuses for failures.
- (d) Maintain a high degree of physical fitness by observing team and training rules conscientiously.
- (e) Demonstrate loyalty to the school by maintaining satisfactory scholastic standing and by participating in and supporting other school activities.
- (f) Play for the love of the game.
- (g) Understand and observe the rules of the game and the standards of eligibility.
- (h) Set a high standard of personal cleanliness.
- (i) Respect the integrity and judgment of officials and accept their decisions without questions.
- (j) Respect the facilities of host schools and the trust entailed in being a guest.

3.5 The cheerleader shall:

- (a) Be a positive influence on spectators.
- (b) Always cheer positively - for their team - not negatively against the opponents.
- (c) Know the game rules and officials' signals.
- (d) Set a good example for fellow students and spectators.
- (e) Impress the importance of accepting the decision of officials and discourage disagreement with them by the crowd.
- (f) Station themselves where they are not distracting the players. (Not directly in the area under the basket).
- (g) Be out of the way of officials and players.
- (h) Be neat, clean and well groomed.

- 3.6 The official shall:
- (a) Place the welfare of the individual athlete above all other considerations.
  - (b) Know the game rules thoroughly and give intelligent interpretations.
  - (c) Maintain confidence and control from start to finish.
  - (d) Work cooperatively with fellow officials and game administrators.
  - (e) Refrain from exhibiting emotions or arguing with a player or coach. Maintain self-control under all conditions.
  - (f) Be fair, impartial and professional.
  - (g) Maintain a high level of mental competency.
  - (h) Be neat and dress in the appropriate uniform.
  - (i) Be in adequate physical condition for the demands of the particular sport.
  - (j) Refrain from commenting upon or discussing a team, play, game situation, or fellow official.
  - (k) So conduct the game as to enlist the cooperation of players, coaches, and spectators in the interest of good sportsmanship.
- 3.7 **Protection, Facilities, and Assistance.** The home team is expected to furnish adequate police protection. Outdoor facilities or playing facilities should be separated from the spectators by a restraining barrier (fence, wire, rope, etc.). Officials should be provided with a parking space, private dressing facilities not accessible to unauthorized personnel, and should be paid no later than half-time of game. The use of trained, competent, adult "assistant officials," i.e., scorers, timers, chain and down marker crews, etc., is strongly recommended.
- 3.8 **Statement of Policy.** Insofar as unsportsmanlike actions by players, cheerleaders, students, school administrators, officials, coaches, faculty members, and spectators are concerned, the identical items under the Sportsmanship Rule along with the following guides will be referred to by the WVSSAC:
- (a) The school whose coach behaves in a manner likely to have adverse influence on the attitudes of players or spectators may be provided with the choice of taking disciplinary action against that coach or have the entire school disciplined by the WVSSAC.
  - (b) **Any athlete who in protest lays hands or attempts to lay hands upon an official may be declared ineligible by his principal or by the WVSSAC for up to one year. Any athlete who strikes an opponent, coach, or a spectator during or following an athletic event may be declared ineligible by the principal or the WVSSAC for a specified period of time up to one year, depending on the seriousness of the act.**
  - (c) **Any coach, player, or bench personnel ejected by an official will be suspended for the remainder of the game, match, meet or contest. He/she will also face suspension in additional contest(s); the suspension will be assessed based upon ten (10) percent of the allowed regular season contests for each sport. Any tenth of a percentage from .1 to .4 will be a suspension equal to the whole number of the percent. Any tenth from .5 to .9 will be an additional contest added to the whole number. The suspension will include the number of indicated contests in that sport and at that level and all other sport contests in the Interim at any level. A second ejection will result in the doubling of the suspension assessed for the first ejection. If he/she is ejected for a third time during the same sport season, the individual will be suspended from participating or coaching for 365 calendar days from the date of ejection.**
- If suspensions are imposed to a player or bench personnel at the end of the sport season and no contest remains, the suspension is carried over to that particular sport until the next school year. In the case of a senior student, the penalty will continue to the next WVSSAC sponsored sport.**

**Any coach suspension that cannot be enforced during the sport season in which the ejection occurs will be enforced at the beginning of the next season of that same sport.**

- (d) In case of spectators physically molesting an official, coach, or player, the school may be given one of two options: 1) take action against the offender(s) or 2) accept discipline from the WVSSAC.
  - (e) The school that does not lend complete cooperation in the host school's effort to promote the spirit of good sportsmanship may be disciplined by the WVSSAC.
  - (f) A coach may be considered as committing unsportsmanlike actions if he makes degrading remarks about officials during or after a game either on the field of play, from the bench, or through any public news media, argues with officials, or goes through motions indicating this dislike for a decision, protests the decision and actions of officials pertaining to the game during and after the contest, or detains the official on the field of play following a game to request a ruling or explanation of some phase of the game. If a coach feels he has a legitimate criticism of a penalty call or a request for a rule interpretation, such criticism or request should be made in the privacy of the coach's office or the official's quarters and should be made in a courteous manner.
  - (g) A player or team attendant shall not leave the bench area, team box area, or his designated off-field area during a game or contest other than during that time permitted by game or contest rules. A coach shall not leave the bench area, team box area, or his designated off-field area during a game or contest other than during that time permitted by game or contest rules unless a player altercation is taking place and the official requests assistance. Violation of this rule shall cause the coach, participant, or team attendant to be immediately ejected from the contest, team penalized according to game or contest rules and that coach, player, or team attendant will not be eligible to participate in the next contest as outlined in Rule 127-4-2.3.
- 3.9 **Procedure.** Unsportsmanship action must be reported in detail to the WVSSAC. A copy of the complaint must also be filed with the principal of the school involved. Each principal involved shall report such information or answers to the report as they deem appropriate. Upon receipt of all reports, the Executive Secretary and/or the Board of Appeals of the WVSSAC shall investigate and adjudicate such reports in accordance with the powers afforded in **Section 127-1-8.6 and 8.7** and **Section 127-1-12.2 and 12.3** of the Constitution. Penalties up to and including suspension of member schools may be made in accordance with **Section 127-4**.
- 3.10 The following defines the different types of disciplinary action which may be assessed for violation of the Sportsmanship Rule:
- (a) **Warning.** A warning may be given by the Executive Secretary or Assistant Executive Secretary. It is official notice that an unexcusable, unethical, or unsportsmanship action has occurred, is a matter of record, and that such an occurrence must not be repeated.
  - (b) **Probation.** Probation is a much more severe type of warning and may be expressed two ways. A school, coach, player, or team attendant on probation is being told that further violations will lead to a fine or suspension. A school on probation is on conditional WVSSAC membership but may engage in its regular schedule, sanctioned events, and all WVSSAC sponsored tournament play, providing a program is filed with the Executive Secretary of the WVSSAC indicating measures to be taken to alleviate this problem which caused the school to be placed on probation. A stronger form of probation could provide that a school may not enter any competition toward sectional, regional, or state championship nor may the school enter any sanctioned events.
  - (c) **Suspension.** A school/coach suspended from the WVSSAC may not meet in interscholastic competition of any kind with a WVSSAC member school or a school that is a member of another state associated with the National Federation of State High School Associations.
  - (d) **Fine.** A fine may be levied by the Executive Secretary. It may be levied in addition to a warning, probation, or suspension.
- 3.11 **Appeals.** All cases involving disciplinary action against member schools, coaches, players, team attendants, or officials may be protested in accordance with **Section 127-6**.
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