

**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: June 3, 2002 **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 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

Thirty-seven 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. Changes the number of administrative districts from five to eight. (Vote: Yes-86 No-0)
2. Changes procedure for determining administrative district boundaries from Board of Appeals to Board of Control approval. (Vote: Yes-87 No-0)
3. Clarifies number of terms an alternate Board of Appeals member may serve. (Vote: Yes-84 No-0)
4. Changes the title of Board of Appeals to Board of Directors to be consistent with National Federation state associations. (Vote: Yes-88 No-0)
5. Changes the title of Executive Secretary to Executive Director to be consistent with National Federation state associations. (Vote: Yes-88 No-0)
6. Specifies reasonable courses for termination of the Executive Director contract. (Vote: Yes-92 No-0)

7. Specifies that the Executive Director will evaluate staff and make recommendations for employment. (Vote: Yes-91 No-0)
8. Permits an exception to WVSSAC Rules 127-2-4.2 and 127-2-4.3 to allow students at the junior high and middle school level who exceed the age limit to participate at the high school level. (Vote: Yes-74 No-16)
9. Permits sixth grade students in K-6 elementary feeder schools to participate on the middle school/ junior high team. (Vote: Yes-69 No-15)
10. Prohibits a student from participating in more than four seasons in any one sport in grades 9-12. (Vote: Yes-90 No-0)
11. Defines courses allowed to fulfill the rule requiring two subjects. (Vote: Yes-87 No-0)
12. Changes the Scholarship Rule to allow two full credit subjects from any area of the curriculum rather than requiring English, Language Arts, Social Studies, Mathematics, and Science. (Vote: Yes-83 No-4)
13. Eliminates the requirement for nine months of residence for a bona fide change of residency. (Vote: Yes-88 No-1)
14. Defines eligibility for students whose parents are divorced or legally separated. (Vote: Yes-89 No-0)
15. Establishes eligibility if student changes residence after establishing initial residency. (Vote: Yes-86 No-0)
16. Allows coaches and athletic directors to receive lifetime WVSSAC Courtesy and Identification Card prior to retirement. (Vote: Yes-89 No-0)
17. Permits school organized out-of-season practice and related activities during Weeks 50, 51, and 52 of the National Federation Standardized Calendar. (Vote: Yes-50 No-34)
18. Allows coaches or principal designees to attend summer camp during Weeks 50, 51, and 52 of the National Federation Standardized Calendar. (Vote: Yes-43 No-31)
19. Establishes consequences if an athlete or team leaves the playing area in protest prior to the end of a contest. (Vote: Yes-87 No-0)
20. Recommends use of contest contracts between officials and schools. (Vote: Yes-84 No-4)
21. Changes classification enrollment figures from 10-11-12 to 9-10-11. (Vote: Yes-76 No-8)
22. Changes classification from two years to four years unless a 20% change in enrollment occurs. (Vote: Yes-70 No-15)
23. Requires a three class tournament structure in all sports. (Vote: Yes-80 No-2)
24. Eliminates the stipulation that member schools may only play other member schools. (Vote: Yes-75 No-6)
25. Eliminates contests or practices which involve alumni participants. (Vote: Yes-75 No-6)
26. Prohibits protests of a contest or ejection. (Vote: Yes-77 No-6)
27. Eliminates protest rules because they are already in a preceding rule. (Vote: Yes-88 No-0)
28. Establishes a comment procedure for member schools for tournament alignment. (Vote: Yes-84 No-4)
29. Increases the length of the cross country season by an earlier start date. (Vote: Yes-78 No-3)
30. Establishes 16 meets as the maximum team contests for cross country. (Vote: Yes-85 No-2)
31. Provides an overtime procedure for junior high/middle school football. (Vote: Yes-78 No-11)
32. Establishes a two week earlier start for the golf season. (Vote: Yes-79 No-8)
33. Changes the maximum team contests for soccer from 19 to 20. (Vote: Yes-72 No-10)

34. Allows softball teams to play 31 games if participating in a conference tournament or a tournament with four teams. (Vote: Yes-79 No-0)
35. Increases the maximum team contests for volleyball to 23 if participating in a tournament. (Vote: Yes-78 No-0)
36. Increases the maximum team contests allowed in wrestling from 16 to 18 matches. (Vote: Yes-85 No-0)
37. Establishes consequences for individuals found guilty of assault or battery of an official, administrator, coach or player. (Vote: Yes-90 No-0)

IMPACT

Instruction

None

Leadership

Proposal 2 would change authority to determine administrative districts from the Board of Appeals to the Board of Control.

Proposal 3 establishes the allowed number of terms for an appointed Board of Appeals member.

Proposal 7 would require the Board of Appeals to follow contract termination similar to county boards of education.

Financial

Proposal 1 would result in an increased expense of \$20,520.00.

Proposal 16 Gate receipts at regional basketball, football playoff games, and state tournaments would decrease by approximately \$2,000.

Proposal 23 would result in an increase expense in the sports of cross country, swimming, and tennis. Increased revenue could be received in the sports of wrestling and soccer.

SPECIFIC AMOUNT OF INCREASE FOR ALL PROPOSALS ARE EXPLAINED ON THE FISCAL NOTE WORKSHEET.

Administrative

Proposal 17 would require administrative decisions on scheduling activities and administrative supervision during the last three weeks of June. However, it would allow qualified coaches to have additional time to develop students' skills.

Proposal 28 would provide more involvement by principals.

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.

TITLE 127
LEGISLATIVE RULES
WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION

SERIES 5
BAND ACTIVITIES

2007 MAY -3 P 2:51

OFFICE WEST VIRGINIA
SECRETARY OF STATE

§127-5-1 General.

- 1.1 **Scope** - These rules and regulations govern band activities.
- 1.2 **Authority** - WV Code §18-2-5
- 1.3 **Filing Date** -
- 1.4 **Effective Date** - July 1, 1987

§127-5-2 Enrollment and Membership - Band.

- 2.1 All members of a member school band must be enrolled in that school. **Rule 127-5-2.3 and 127-5-2.4** will be the only exception.
- 2.2 Majorettes, flag corps, drill teams, etc. are considered an integral part of the band and shall be adjudicated and governed accordingly. Any performance by a majorette, member of a flag corps or drill team, without the band, shall not be considered a band activity.
- 2.3 Instrumental music students in seventh and eighth grades of feeder elementary schools or any grade of a feeder junior high school who receive their instruction from the band director of the senior high band in which said students will eventually enroll and which feeder school does not have a band of its own shall be eligible to participate in the band directed by their instructor.
- 2.4 Ninth grade instrumental music students, in feeder school grades 7 through 9, are eligible to participate in the marching band program of the high school in which they will eventually enroll if the feeder school does not afford students the opportunity to participate in a marching band and they are otherwise eligible.
- 2.5 Participants in secondary school interscholastic band activities shall be eligible only for the number of years in which they are enrolled and attending a secondary school as an undergraduate.
- 2.6 In middle schools, students who are enrolled in grades five through eight will may be eligible to participate in all band activities.

§127-5-3 Scholarship - Band.

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

- (a) Two of those four full credit subjects must be in English-Language Arts, Social Studies, Mathematics or Science, and may or may not be in the same area.
- (b) If a student has completed all state, county and school requirements, he may select four full credits from any area of the curriculum offered by the school.
- (c) If a student is taking a multiple period subject, such as vocational courses for a full morning or afternoon, it may be counted as more than one subject. The number of subjects counted will be equal to the units of full credits given; however, part (a) above must also be met.

Note: Full credit is defined as one-half credit for a semester or 4050 minutes as taken from the West Virginia Department of Education, "Graduation Requirements for West Virginia Public Schools: Adolescent Education (Grades 9-12) (March 1982)."

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

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

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

3.5 Scholastic 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 is delayed due to illness which can be verified by a physician.

3.6 In all cases, the official school transcript will be used to determine a student's eligibility and will be regarded as final.

3.7 A student promoted to the seventh grade for the first time is considered to have satisfied scholastic requirements and is permitted to participate during the first semester of his initial enrollment in that grade, provided he the student is otherwise eligible.

§127-5-4 Festivals - Band.

4.1 The Board of ~~Appeals~~ Directors shall divide the state into regions for the purpose of band festivals and shall have the authority to place bands in those regions. They shall also determine the time, place and management of these events.

4.2 All bands participating in those festivals shall be composed of students that meet the qualification standards set forth in these rules.

4.3 The Board of ~~Appeals~~ Directors shall appoint ~~coordinators~~ directors for the festivals. One of their responsibilities will be to contract adjudicators for the festivals. ~~The Commission office may be asked to assist, if necessary.~~

4.4 First year programs will not be required to participate in the regional festival.

§127-5-5 Sanctioning - Band.

5.1 On or before September 1 of each school year, the Board of ~~Appeals~~ Directors shall submit to each member school of this Commission a list of approved school sponsored and non-school sponsored contests and activities in which bands of member schools may participate during the ensuing year.

5.2 Additions to this list may be made after September 1 of each school year provided that the request for approval is filed with the Commission office at least thirty (30) days prior to the activity.

5.3 In order to qualify for approved participation in activities outside the home county and counties contiguous to the home county (including out-of-state), bands of member schools must have participated within the guidelines of the WVSSAC Band Festival Plan in the most recently conducted regional band festival.

5.4 A school band shall not be absent from school more than five (5) days each year for the purpose of participating in band activities.

5.5 The regulations above apply only during the regular school term.

§127-5-6 Awards - Band.

6.1 Only a member school or a non-school organization sponsoring an activity approved by this Commission may give the following awards to a student or band: medal, trophy, cup, certificate, ribbon, plaque, unattached letter, unattached chevron or similar award.

6.2 A student may accept as an individual or member of a school band the above specified awards in the following situations:

- (a) from a member school for participation
- (b) in a sanctioned event
- (c) in a non-sanctioned event during the summer.

6.3A student may not receive the following awards from any source:

- (a) Wearing apparel - sweaters, jackets, etc.
- (b) Equipment - radio, television, etc.
- (c) Music instruments, batons, etc.
- (d) Money - (Scholarship to institutions of higher learning are exempted).

6.4 Bands of member schools may accept prizes and/or gratuities for participation in sanctioned events during the school term and in non-sanctioned events during the summer.

6.5 Purchase of an item mentioned in **Section 127-5-6.3 (a-d)** whereby a portion is donated by a school, booster club, auxiliary agency, or any other group or organization is prohibited.

6.6 Nothing in this Awards Rule shall be interpreted to affect the recognition of scholarship or scholastic achievement.

6.7 Any student who accepts an award in any band activity, other than those approved in these rules, shall be ineligible to participate in any band activity for 365 days.

§127-5-7 Classification of Schools - Band.

7.1 There shall be three classes of schools for bands: Class AAA, Class AA, Class A. The Board of Appeals Directors is authorized to determine the size of enrollment in each class.

7.2 Classification shall be determined every ~~two~~ four years in the even numbered year and, when established, shall remain in effect for ~~two~~ four school years. Classification shall be based on the second month's enrollment of the previous odd numbered year.

7.3 Enrollment standard for schools will be the active enrollment of the total number of students in grades 9, 10, and 11 ~~and 12~~.

7.4 Member junior high schools and middle schools will not be given a classification.

FISCAL NOTE WORKSHEET

(submit 4 copies)

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

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

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

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

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

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

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

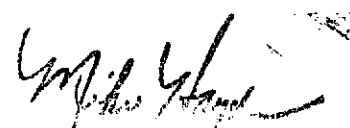
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4/22/02

DATE

WV Secondary School Activities Commission

AGENCY



AUTHORIZED REPRESENTATIVE

FISCAL NOTE WORKSHEET - CONTINUED

Proposal 1

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

Proposal 23

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

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

**TITLE 127
WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION
Band Activities
Comment Response Form**

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

Individual/Organization: _____

Title: _____

Street Address: _____ City/State/Zip _____

Comments/Suggestions

§127-5-2. Enrollment and Membership - Band.

§127-5-3. Scholarship - Band.

§127-5-4. Festivals - Band.

§127-5-5. Sanctioning - Band.

§127-5-7. Classification of Schools - Band.

Return comments by June 3, 2002 to:

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