



**EXECUTIVE SUMMARY**  
**WEST VIRGINIA BOARD OF EDUCATION**

**POLICY NUMBER AND TITLE:** West Virginia Code Title 127, § 18-2-25  
West Virginia Secondary School Activities Commission

**BACKGROUND:**

The West Virginia Secondary School Activities Commission is directed by the State Board of Education to administer the adopted and board approved rules of compliance for the orderly and fair participation in interscholastic extracurricular

**PURPOSE:**

The West Virginia Secondary School Activities Commission shall promulgate reasonable rules and regulations providing for the control, supervision and regulation of the interscholastic athletic events and other extracurricular activities of the member schools.

**IMPACT:**

The proposed changes to the rules and regulations have been approved by the Board of Control at their annual meeting and are being presented to the State Board of Education for final disposition.

**FISCAL IMPACT:**

Listed at the beginning of each proposed rule change.

**PROPOSED REVISION TO POLICY: West Virginia Code Title 127, § 18-2-25**  
**West Virginia Secondary School Activities Commission (Action)**  
**John Ray**

**West Virginia Code Title 127, § 18-2-25**, The membership of the West Virginia Secondary School Activities Commission is proposing changes to the rules and regulations that govern interscholastic activities for all member schools in West Virginia.

I respectfully request that the proposed revisions to the policy be placed on public comment until May 22, 2001.

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**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, 2001    **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 April and May. 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**

Twenty-eight 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-90 No-8)
2. Limits the term of an elected Board of Appeals member to two years and limits number of successive terms to two years. (Vote: Yes-60 No-42)
3. 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-51 No-45)
4. Stipulates an evaluation process for assistant executive secretaries. (Vote: Yes-93 No-8)
5. Changes termination of Executive Secretary contract from a Board of Appeals decision to a Board of Control decision. (Vote: Yes-76 No-25)
6. Clarifies terminology used in WVSSAC Rules and Regulations Handbook. (Vote: Yes-108 No-0)
7. Establishes determination of feeder school attendance zones for member schools and for member private junior high/middle schools not having a high school in their system. (Vote: Yes-77 No-22)

8. Allows an unlimited number of students in WV School for the Deaf and WV School for the Blind to participate in sports at either Hampshire High School or Romney Middle School. (Vote: Yes-104 No-2)
9. Allows ninth grade students of a feeder school to participate on the high school team regardless if the feeder school sponsors or does not sponsor that sport. (Vote: Yes-53 No 51)
10. Allows three seasons of interscholastic activity participation for students in grades 6-7-8 of a middle school. (Vote: Yes-107 No-0)
11. Stipulates principal approval for participation in a professional tryout. (Vote: Yes-100 No-5)
12. Allows the WVSSAC to issue Complimentary Courtesy and Identification Cards to the principal and vice-principal of vocational schools at which member school students receive instruction. (Vote: Yes-75 No-31)
13. Allows any coaching staff member to provide individual or group instruction for ten (10) separate days from June 1st to July 31st. (Vote: Yes-75 No-33)
14. Allows for a four (4) division tournament structure in football only - 2 divisions in class AAA, 1 division in Class AA and 1 division in Class A. (Vote: Yes-68 No-38)
15. Allows State Championship finals to be played on Sunday after 1:00 p.m. in cases of emergency. (Vote: Yes-107 No-2)
16. Specifies completion of state tournaments. (Vote: Yes-102 No-0)
17. Specifies that the baseball season for each team will end upon WVSSAC tournament elimination. (Vote: Yes-57 No-36)
18. Permits high school basketball teams to play a maximum of 22 regular season games. (Vote: Yes-107 No-1)
19. Permits high school football teams to schedule ten (10) games in eleven (11) weeks. (Vote: Yes-107 No-1)
20. Specifies that the football season will end for each team at the end of regular season or by play-off elimination. (Vote: Yes-108 No-0)
21. Changes the first game date for middle school/junior high football teams from Week 10 to Week 9. (Vote: Yes-74 No-19)
22. Specifies that the soccer season will end for each team upon WVSSAC tournament elimination. (Vote: Yes-100 No-3)
23. Allows a high school soccer team to participate in a soccer-o-rama and one (1) preseason scrimmage or two (2) preseason scrimmages. (Vote: Yes-85 No-11)
24. Specifies that the softball season will end for each team upon WVSSAC tournament elimination. (Vote: Yes-79 No-24)
25. Specifies that the swimming season will end for each team or individual upon WVSSAC tournament elimination. (Vote: Yes-93 No-0)
26. Specifies that the track and field season will end for each team or individual upon WVSSAC tournament elimination. (Vote: Yes-103 No-1)
27. Specifies that the volleyball season will end for each team upon WVSSAC tournament elimination. (Vote: Yes-104 No-0)
28. Stipulates a procedure for establishing feeder schools and attendance zones and high school student participation for instrumental music (band) programs. (Vote: Yes-83 No-16)

## IMPACT

### Instruction

None

### Leadership

Proposals 4 & 7 would affect the role of the Board of Appeals as specified in the WVSSAC Constitution. The Board of Appeals is elected by the Board of Control and given authority to act as its representative.

### Financial

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

Proposal 5 would be an increased expense for the WVSSAC. An emergency Board of Control meeting would be an estimated \$3,000 cost for Board of Appeals member attendance. In addition, if principals or designees attended an emergency meeting, the average cost per school would be approximately \$200.00 or an estimated \$25,000.00 statewide for approximately 125 attending member schools.

Proposal 12 - The issuance of additional Courtesy and Identification Cards would impact the number of paid admissions at WVSSAC tournament contests. That would result in an estimated \$4000.00 annual decrease in revenue.

Proposals 15 and 16 - These proposals specifying conclusion of state championship procedures and allowance of Sunday contests would result in increased costs for school reimbursement and officiating; **however, the positive benefits to students and participating schools is of primary concern to the WVSSAC and it is very infrequent that this rule would have to be enacted.** Figures on Fiscal Note Worksheet are estimate for 2000 State Championships.

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

### Administrative

Proposals 7 and 36 - County boards of education or governing bodies of private or parochial school systems must establish feeder schools, attendance zones, and participation at high schools for private or parochial systems which do not have a high school in their system.

Proposal 13 - This change would require additional administrative record keeping for school administrators and additional administrative supervision by WVSSAC.

**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.**

# 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.

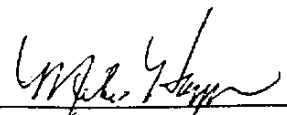
EFFECT OF PROPOSAL	ANNUAL		FISCAL YEAR		
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
1. ESTIMATED TOTAL COST	\$ 106,670	\$	\$ 39,004	\$ 145,674	\$
PERSONAL SERVICES	\$ (1a) 6,000	\$	\$ (1a) 10,000	\$ (1a) 16,000	\$
CURRENT EXPENSES	(1b) 2,520		(1b) 7,560	(1b) 10,080	
REPAIRS/ALTERATIONS	(1c) 1,500		(1c) 2,500	(1c) 4,000	
EQUIPMENT	(1d) 10,500		(1d) 17,500	(1d) 28,000	
OTHER	(5) 3,000		(5) 0	(5) 3,000	
	(15 & 16) 2,125	Baseball	(15 & 16)	(15 & 16)	
	12,761	Boys' Basketball	Track 1,444	84,594	
	10,924	Girls' Basketball			
	4,100	Cheer			
	8,000	Cross Country			
	6,507	Football			
	2,445	Golf			
	2,457	Soccer			
	3,723	Softball			
	4,008	Swim			
	2,652	Tennis			
	12,221	Track			
	3,727	Volleyball			
	7,500	Wrestling			
	83,150	Total			
2. ESTIMATED TOTAL REVENUES	\$ 0	\$(12) 4,000.00	\$ (12) 4,000.00	\$ (12) -4,000.00	\$

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

Continued on Attached Page

3/30/01  
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 is \$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 \$3,500 annually. The additional three members would result in an increase expense of \$10,500.

### Proposal 5

An emergency Board of Control meeting would be an estimated \$3,000 cost for Board of Appeals member attendance.

### Proposal 12

The issuance of additional Courtesy and Identification Cards would impact the number of paid admissions at WVSSAC tournament contests. That would result in an estimated \$4000.00 annual decrease in revenue.

### Proposals 15 and 16

These proposals specifying conclusion of state championship procedures and allowance of Sunday contests would result in increased costs for school reimbursement and officiating; **however, the positive benefits to students and participating schools is of primary concern to the WVSSAC and it is very infrequent that this rule would have to be enacted. Figures on Fiscal Note Worksheet are estimate for 2000 State Championships.**

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

FILED

TITLE 127  
LEGISLATIVE RULES  
WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION

APR 2 10 57 AM '01

SERIES 5  
BAND ACTIVITIES

OFFICE OF 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.

**Proposal 28**

Amend 127-5-2 Enrollment and Membership - Band (pg. 36) as follows:

- 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.
  - (a) Feeder schools and attendance zones shall be established by the county Board of Education or governing body of private or parochial school systems.
  - (b) The county Board of Education shall establish guidelines of participation for students attending member private schools that do not have a high school in their private or parochial system.

Thomas Kidd, Principal  
John Adams Junior High  
William Niday, Principal  
Parkersburg High School

**Rationale:**

This change designates the responsibility for defining feeder schools and attendance zones to County Boards of Education and governing bodies of

private and parochial schools.

- 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 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 is otherwise eligible.

**§127-5-4 Festivals - Band.**

- 4.1 The Board of Appeals 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 shall appoint coordinators 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 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 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.

6.3 A 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 is authorized to determine the size of enrollment in each class.

7.2 Classification shall be determined every two years in the even numbered

year and, when established, shall remain in effect for two 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 10, 11 and 12.
- 7.4 Member junior high schools and middle schools will not be given a classification.

**PUBLIC RESPONSE**

**Policy West Virginia Code Title 127, § 18-2-25: West Virginia Secondary School  
Activities Commission**

**Directions: Please use this form to comment on the proposed changes in the policy.**

Individual/Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

**COMMENTS**

Proposal 1: \_\_\_\_\_

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Proposal 2: \_\_\_\_\_

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Proposal 3: \_\_\_\_\_

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Proposal 4: \_\_\_\_\_

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Proposal 28: \_\_\_\_\_

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General Comments: \_\_\_\_\_

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**RETURN BY: May 22, 2001**

**TO: John Ray, West Virginia Department of Education**

**Buld. 6 - Room 309**

**1900 Kanawha Blvd. , East**

**Charleston, West Virginia 25305**

or

E-mail - [jbray@access.k12.wv.us](mailto:jbray@access.k12.wv.us) - If responding via e-mail please send comments as an  
or attachment.

Fax - 304-558-3787