

**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 26, 2000 **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 and May. The West Virginia Secondary School Activities Commission will present to the Board the comments received for your 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

Eleven 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. Allows sixth grade students to participate in all middle school interscholastic sport teams except football. (Vote: Yes-70 No-25)
2. Allows the WVSSAC to issue Complimentary Courtesy and Identification Cards to the principal and vice-principal of vocational schools which instruct member school students. (Vote: Yes-79 No-22)
3. Allows the WVSSAC to issue Complimentary Courtesy and Identification Cards to retired athletic directors with at least 20 years as a coach, athletic director, or combination of coaching and athletic director experience. (Vote: Yes-93 No-1)
4. Allows 31 baseball games if participating in a tournament with a minimum of four

participating teams. (Vote: Yes-76 No-23)

5. Changes the beginning of the junior high/middle school cheer season to be consistent with other junior high/middle school fall sports. (Vote: Yes-94 No-2)
6. Allows 19 soccer matches if participating in a conference tournament. (Vote: Yes-54 No-38)
7. Establishes rules for junior high/middle school swim teams. (Vote: Yes-64 No-13)
8. Changes the end of the high school volleyball season. (Vote: Yes-102 No-0)
9. Changes the end of the junior high/middle school volleyball season. (Vote: Yes-94 No 0)
10. Allows ninth grade instrumental music students from feeder schools to participate in the marching band program if the feeder school does not offer a marching band program. (Vote: Yes-53 No-35)
11. Changes WVSSAC office notification procedures for appeal cases. (Vote: Yes-104 No-0)

IMPACT

Instruction

None

Leadership

None

Financial

One proposal would result in an increased expense of \$10,000.00. Two other proposals would collectively result in decrease of revenue of \$6,000.00. Specific amount of increase for these proposals are 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	\$16,000	\$	\$60,000	\$76,000	\$
PERSONAL SERVICES	\$(1) 10,000	\$	\$(1) 60,000	\$(1) 70,000	\$
CURRENT EXPENSES					
REPAIRS/ALTERATIONS	(2) 4,000		(2) 0	(2) 4,000	
EQUIPMENT	(3) 2,000		(3) 0	(3) 2,000	
OTHER					
2. ESTIMATED TOTAL REVENUES	\$0	\$	\$0	\$0	\$

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

Proposal 1

If sixth graders are allowed to participate in middle school interscholastic sport teams, there would be an increase of \$10,000 in the cost of catastrophic injury insurance. Currently, the cost of insurance is approximately \$60,000 for six grades; an additional grade would be an increase of \$10,000.

Proposal 2

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 \$4,000.00 annual decrease in revenue.

Proposal 3

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 \$2,000.00 annual decrease in revenue.

4/6/00
DATE

WV Secondary School Activities Commission
AGENCY



AUTHORIZED REPRESENTATIVE

127CSR5
TITLE 127
LEGISLATIVE RULES
WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION

SERIES 5
BAND ACTIVITIES

FILED
APR 18 4 33 PM '00
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.

Proposal 10

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

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 exceptions.

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

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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.

Rationale:

- a. Afford students the opportunity to participate in marching band in 9th grade.
- b. Consistency with athletics.
- c. Strictly voluntary/form filled out - mutual consent.
- d. Mutual consent of principal in compliance with current feeder school form.
- e. Extra-curricular marching band only.

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

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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.

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§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 nonschool 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 nonschool 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.

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(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 terms. 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.