

**Policy 2436.10, Participation in Extracurricular Activities  
Comment Log  
September 10, 2020 – October 13, 2020**

**Action**

A/S Comment was accepted and supports the proposed policy.

A/C Comment was accepted and resulted in changes to the proposed policy.

N Comment was not accepted.

Date	Commenter	Comments	Action	Rationale
<b>§126-26-3. Eligibility.</b>				
9/14/20	Renee Mahon	I believe that homeschool students should not play sports for public schools because they do not meet required coursework or discipline standards. It is not fair to those students that go to school 8 hours a day. Homeschool students can play community sports.	N	Comment 1: West Virginia Code §18-2-25 was amended during the 2020 legislative session to require the WVSSAC to consider homeschool students satisfying certain conditions eligible for participation in extracurricular activities.
9/16/20	Drema Gainer	Homeschool students should not participate in extracurricular activities, or student government. You can not represent a group (school) you are not part of. A resident of Texas can not be a Congressional Representative from West Virginia for the same reason. There is no way to equate the academic standard and attendance requirements of homeschool students and traditional school students. (A traditional student can not participate on days they have not been in attendance. This creates an unfair advantage for a homeschool student who could have slept in and spent the day conditioning while the other students were required to be in school.	N	See Comment 1.
10/2/20	Melinda Owens	Students enrolled in one virtual class and otherwise are homeschooled should NOT be eligible to participate in public school sports. They now have the option to do WV or County virtual school. If this is not adequate for them, being taught by their parents who are giving them their grades should	N	See Comment 1.

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		not make them eligible. Our children have to follow guidelines provided by people other than their parents to be eligible.		
10/2/20	Melanie Meck	I do not agree with allowing homeschooled students to play on public school athletic teams. To be eligible to participate in public school athletics, 6-12 grade students should' be enrolled full-time in the local public school system. If public school education is not chosen, then community leagues should be the home school option. The public school sector is not held to the same high standards as the public school sector. In WV, the homeschool accountability measures have been so watered down that anyone can say they're homeschooling, whether they are actually seeing to the education of their child or not. I say NO!	N	See Comment 1.
10/3/20	Jonathan Bradley	<p>This doesn't seem the correct way to comments on home school students being eligible for public school programs-but...</p> <p>Life is full of choices and comments!</p> <p>If one chooses home schooling, they make that choice, knowing their eligibility consequences! If said student wants to be eligible, then they need to choose enrolling in a public school.</p> <p>Just because the want "their cake and eat it too" shouldn't cause the State of WV to allow this to happen!!</p> <p>I see a great potential for coaches using this to recruit students, or even directing students to go to home schooling so they can be well rested for practices and games. Yes-it WILL happen. Of course</p>	N	See Comment 1.

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		<p>those students will meet any GPA requirements...duh. Another way for coaches...take a weak academic student, guide them to home schooling and all GPA issues are gone. And THAT student needs MORE educational guidance that public schools can and do offer.</p> <p>I feel that there is a real, yet subtle, push toward emptying public schools, thus lessening the financial burdens of paying for those teacher...though, this proposal is not the way.</p> <p>Public school teachers are the professionals and educate the students better than anyone.</p> <p>Let's start SUPPORTING teachers and public schools!! Better pay, promised benefits, REAL support from the legislature and the WVDE Board. Don't keep sending the message that WV public school teachers are not good enough!!</p> <p>I am a retired public school teachers/administrator with 38 years of experience-I know of what I am speaking!!</p>		
10/3/20	Melanie Meck	<p>I do not agree with allowing homeschooled students to play on public school athletic teams. To be eligible to participate in public school athletics, 6-12 grade students should' be enrolled full-time in the local public school system. If public school education is not chosen, then community leagues should be the home school option. The public school sector is not held to the same high standards as the public school sector. In WV, the homeschool accountability measures have been so watered down that anyone can say they're</p>	N	See Comment 1.

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		homeschooling, whether they are actually seeing to the education of their child or not. I say NO!		
10/3/20	Jamie Buckland	We are so, so thankful for this partnership. I know there are students all over the state getting to participate right now, and it has been such a gift for them and their families.	A/S	
10/3/20	Theresa Dennison	<p>Concerning POLICY 2436.10            Thanks to the Dept. of Ed. and WVSSAC for working with homeschool liaison, Jamie Buckland, in developing language necessary for our kids to be included.            Many kids are finally getting to participate in sports and band, have fun, meet new friends, and learn in these non academic endeavors.</p> <p>Like myself, numerous homeschool families use a portfolio method to track and determine progress. Letter grades do not provide an accurate assessment of skill acquisition. These dedicated families know what is best for their kids.            By requiring a "C", which is not written in the state law, you are continuing to eliminate these kids.            Testing accesses a students ability to take a test- not true learning.            Portfolios have actual work that a student has spent time on... Writing samples, current mathwork, a list of books read, etc.            Our portfolio reviewer sits down with my children and asks them questions about their year and their projects.            This is GOLD!            The Cram/Test/Forget model is defective and a wastes time and resources to say the least.</p> <p>I get it.</p>	N	<p>See Comment 1.</p> <p>Comment 2: Pursuant to W.Va. Code §18-2-25(d)(2), homeschool students must participate in one virtual instructional course per semester, consistent with applicable county board and WVBE rules, to be eligible to participate in WVSSAC sanctioned activities. The WVBE has consistently required a 2.0 GPA average to participate in SSAC sanctioned activities. Section 3.1.1.c. explains the method for calculating a student's GPA average.</p>

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		<p>As an agency, a factory-type, uniform model with boxes to check needs to be implemented, but that is too easy for us, and if we are being honest- our kids deserve more.</p> <p>Even though many parents have told me how inadequate WVs Virtual public school is, if my child receives less than a C in their virtual class and can participate I understand.</p> <p>Side note- Why isn WV simply copying another of the states that implemented virtual school years ago? Why are WV people always last?</p> <p>If I am being honest, as a product of the local public school system, and as a former teacher in that system, I have never believed any of the kids should be excluded in the schools for not having the proper grades.</p> <p>These kids NEED the physical activity and the character-building skills taught on team sports and in band, etc. much more than they need to do well on a multiple choice test. (But that is another battle)</p> <p>Please make the changes necessary to truly reflect the intent of the law and to not unduly punish children by removing opportunities. Thank you.</p>		
9/16/20	Drema Gainer	<p>[3.1.a.11.A.] Homeschool students should not participate in extracurricular activities, or student government. You can not represent a group (school) you are not part of. A resident of Texas can not be a Congressional Representative from West Virginia for the same reason. There is no way to equate the academic standard and attendance</p>		

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		requirements of homeschool students and traditional school students. (A traditional student can not participate on days they have not been in attendance. This creates an unfair advantage for a homeschool student who could have slept in and spent the day conditioning while the other students were required to be in school.		
10/3/20	Jamie Buckland	[3.1.a.11.A.] While I want to support the implementation of the new law to the best of my abilities, it is important to note that the WVSSAC rules for 2020-2021 are not consistent with the code that was passed and that they do overstep their authority by including a measure which could unfairly exclude a student from participation. By adding the additional "C" grade clause, they gave themselves the authority to rule a student ineligible, and that authority was not granted to them within the language of the law.	N	See Comment 2.
10/3/20	Theresa I Dennison	[3.1.a.11.A.] Concerning Policy 2436.10 Thanks to the Dept. of Ed. and WVSSAC for working with homeschool liaison, Jamie Buckland, in developing language necessary for our kids to be included. Many kids are finally getting to participate in sports and band, have fun, meet new friends, and learn in these non academic endeavors.  Like myself, numerous homeschool families use a portfolio method to track and determine progress. Letter grades do not provide an accurate assessment of skill acquisition. These dedicated families know what is best for their kids. By requiring a "C", which is not written in the state law, you are continuing to eliminate these kids. Testing accesses a students ability to take a test-	N	See Comments 1 and 2.

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		<p>not true learning. Portfolios have actual work that a student has spent time on... Writing samples, current mathwork, a list of books read, etc. Our portfolio reviewer sits down with my children and asks them questions about their year and their projects. This is GOLD! The Cram/Test/Forget model is defective and a wastes time and resources to say the least.</p> <p>I get it. As an agency, a factory-type, uniform model with boxes to check needs to be implemented, but that is too easy for us, and if we are being honest- our kids deserve more.</p> <p>Even though many parents have told me how inadequate WV's Virtual public school is, if my child receives less than a C in their virtual class and can participate I understand. Side note- Why isn WV simply copying another of the states that implemented virtual school years ago? Why are WV people always last?</p> <p>If I am being honest, as a product of the local public school system, and as a former teacher in that system, I have never believed any of the kids should be excluded in the schools for not having the proper grades. These kids NEED the physical activity and the character-building skills taught on team sports and in band, etc. much more than they need to do well on a multiple choice test.</p>		
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		(But that is another battle)  Please make the changes necessary to truly reflect the intent of the law and to not unduly punish children by removing opportunities. Thank you.		
9/16/20	Drema Gainer	[3.1.a.11.B.] Homeschool students should not participate in extracurricular activities, or student government. You can not represent a group (school) you are not part of. A resident of Texas can not be a Congressional Representative from West Virginia for the same reason. There is no way to equate the academic standard and attendance requirements of homeschool students and traditional school students. (A traditional student can not participate on days they have not been in attendance. This creates an unfair advantage for a homeschool student who could have slept in and spent the day conditioning while the other students were required to be in school.		See Comment 1.
10/3/20	Jamie Buckland	[3.1.a.11.B.] Having worked with dozens of students over the past 3 months, I am thrilled to announce that the majority had no issue demonstrating progress with test scores. However, as we move forward, we will work to clarify the law to include the option to demonstrate progress with portfolio reviews as well. That will allow the state of WV to further its work to provide opportunities and to not exclude students from participation whose progress isn't accurately represented through standardized test scores.	N	See Comment 1.
9/16/20	Drema Gainer	[3.1.a.11.C.] Homeschool students should not participate in extracurricular activities, or student government. You can not represent a group (school) you are not part of. A resident of Texas can not be a Congressional Representative from West	N	See Comment 1.

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		Virginia for the same reason. There is no way to equate the academic standard and attendance requirements of homeschool students and traditional school students. (A traditional student can not participate on days they have not been in attendance. This creates an unfair advantage for a homeschool student who could have slept in and spent the day conditioning while the other students were required to be in school.		
10/3/20	Racina Stollings	[3.1.a.11.C.] A homeschool student earns their eligibility through testing as required in 3.1.a.11.B. To then only consider how they do in one virtual class, and require a C, is not in line with how the law was written. Public school students have a C average across all classes taken. If the GPA is what is going to be used for homeschool students once they've proven their initial eligibility through testing, then their GPA across all subjects being taken, both at home and virtually, should also be considered. Furthermore, if the virtual school class determines continued eligibility, then testing should no longer be required once initial eligibility is established.	N	See Comments 1 and 2.
10/3/20	Jamie Buckland	[3.1.a.11.C.] While I do understand this is all being done to ensure congruency between SSAC's rules and regulations and the state law, this subsection presents a sincere concern. Academic eligibility for homeschoolers is granted annually by demonstrating progress with test scores. As a parent, I understand my child would need to take their virtual course seriously and should not be protected to fail the course and maintain eligibility, however, as a representative of homeschoolers and a citizen of WV, it is incredibly concerning that SSAC overstepped the authority of the new law by	N	See Comments 1 and 2.

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		<p>adding to it. The feedback for the virtual programs in WV has been less than thrilling, and the reality is that a student unable to maintain a C could lose eligibility based on this additional clause which was not in the law. For that reason, I would ask the department to work with the SSAC to instead have policies which do not add or reduce the law, but instead reflect it consistently.</p>		
10/3/20	Amber Simon	<p>[3.1.a.11.C.] As the law is written, homeschoolers get their eligibility through testing. That requirement is listed in 3.1.a.11.B of this policy. The law does not include anything about GPA, but this policy does in 3.1.a.11.C.</p> <p>If a homeschool student gets their eligibility through testing then a GPA should not be a requirement unless they will be considering all classes the homeschooler is taking, not just the one virtual class. Public school students have to maintain a C average across all courses and don't have to do any testing.</p> <p>Also, if, after initial eligibility, the GPA is going to be used for eligibility purposes, then testing should no longer be required.</p> <p>With the C average in one class determining eligibility, that is giving one teacher complete control over continued sports access. That isn't right. Per the law, homeschoolers get eligibility through testing.</p> <p>I sincerely urge you to please use your time more sensibly. Trying to constitute more rules for homeschoolers than are even expected from public</p>	N	See Comments 1 and 2.

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		<p>school students is illogical any which way you choose to spin it.</p> <p>This superfluous attempt to add to an existing law in this manner could very well guide some students to opt for the easiest class available when the point of a true education is to challenge oneself as much as possible even if failure is a possible outcome. I highly doubt failing is going to be a problem with homeschoolers seeing as how they take their education very seriously, but why deter a child from taking a more challenging class if that could cause them to be ineligible when there are already sufficient laws in place for this situation?</p>		
<b>§126-26-4. Severability.</b>				
10/3/20	Jamie Buckland	<p>It is my opinion that the second sentence of 3.1.a.11.C. would indeed be held invalid if contested, as it should be. As the state coordinator and student advocate for WV Homeschoolers for SSAC Access, I hope that we do not have a circumstance arise this year where we need to contest it, but if we do, it will be our position that ruling a student ineligible for their grade in the virtual course will be a gross overstep of the law.</p>	N	See Comment 2.