

WEST VIRGINIA
SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #2

Do Not Mark In This Box

FILED
OCT 20 1 50 PM '00

OFFICE OF THE SECRETARY OF STATE
WEST VIRGINIA

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: West Virginia Board of Education TITLE NUMBER: 126

RULE TYPE: Legislative; CITE AUTHORITY: W. Va. Constitution, Article XII, §2, W.Va. Code §18-2-5.

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 118

TITLE OF RULE BEING AMENDED: Athletic Trainers in the Public Schools
Of West Virginia (5112)

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON November 30, 2000 AT 4:45 p.m.. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS:

Mr. John Ray

Coordinator, Office of Health Schools

West Virginia Department of Education

1900 Kanawha Boulevard East, Bldg. 6, Room 309

Charleston, West Virginia 25305-0330

THE ISSUES TO BE HEARD WILL BE LIMITED TO THIS PROPOSED RULE.



Dr. David Stewart
State Superintendent of Schools

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

**EXECUTIVE SUMMARY
WEST VIRGINIA BOARD OF EDUCATION**

**Policy 5112: Athletic Trainers in the Public Schools of West
Virginia**

Proposed Changes in Rules and Regulations

PUBLIC COMMENT PERIOD ENDS: November 30, 2000

BACKGROUND:

West Virginia Board of Education Policy 5112, Athletic Trainers in West Virginia Public Schools, requires local board of education to employ an athletic trainer to be in attendance at all high school football practices and games. Athletic trainers are recommended for middle/junior high school football programs. Policy 5112 provides for an Athletic Trainer Review Board to advise the State Board of Education in the granting of waivers to the policy when there is a lack of a fully certified trainer.

RECOMMENDATION:

To provide added protection to the student athletes in West Virginia, the proposed changes to Policy 5112 will provide additional training for the paraprofessional serving as an athletic trainer. The West Virginia Secondary School Activities Commission will work with the West Virginia Board of Education to develop and administer mandated coursework for those making application for athletic trainer positions and lacking professional certification. It is anticipated each section of the coursework will cost the student no more than \$ 100.00.

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TITLE 126
PROCEDURAL RULE
BOARD OF EDUCATION
SERIES 118

OFFICE OF THE SECRETARY OF STATE

Athletic Trainers in the Public Schools of West Virginia (5112)

§126-118-1. General.

1.1. Scope - This legislative rule describes the role of athletic trainers in the public schools of West Virginia and provides for their licensure and professional development.

1.2. Authority - W.Va. Constitution, Article XII, §2;
W.Va. Code §18-2-5

1.3. Filing Date - February 24, 1995

1.4. Effective Date - March 27, 1995

§126-118-2. Foreword.

2.1. The purpose of the athletic trainer policy is to provide for the licensure and professional development of an individual functioning as a state certified athletic trainer to improve the health care of student athletes in the public schools of West Virginia. The term "state certified" refers to the holder of any or all of the documents issued by the State Superintendent under the state law, rules or policies of the West Virginia Board of Education which authorize an individual to serve as an athletic trainer. These include the certificate, permit or authorization as described in Section 4, below.

§126-118-3. General Rules.

3.1. Each county board of education shall employ a state certified athletic trainer(s) for senior high school football practices and games, unless employment of a trainer is waived pursuant to Section 3.4 or unless the school is excused from such requirement by the county superintendent of schools on an individual game or practice basis. High schools which do not have a state certified athletic trainer, or excuse may not participate in football practices and games.

3.2. Each county board of education is encouraged to employ a state certified athletic trainer for middle and junior high school football practices and games.

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3.3. County superintendents are encouraged to assign state certified athletic trainers to work with other school athletic programs and related school programs in which participation may result in injury.

3.4. The county superintendent may request from the West Virginia State Board of Education a authorization waiver of the requirement that a state certified athletic trainer be employed for senior high school football practices and games. Such a request must contain documentation that a state certified athletic trainer could not be employed, including the advertisement and other methods used to obtain one. These exceptions may be approved for one school year for legitimate reasons, i.e., illness of current trainer, courses not offered, unavailability of state certified athletic trainer and other extenuating circumstances.

3.5. The person selected to serve on authorization must successfully complete the Athletic Trainer Paraprofessional Course as administered by the West Virginia Secondary School Activities Commission. The course must be completed prior to the first day of practice.

§126-118-4. Licensure Governing Athletic Trainers (Policy 5202).

4.1. The Professional Service Certificate endorsed for athletic trainer stands alone, shall not require other certificates as a prerequisite, and must be renewed in accordance with renewal requirements for professional certificates approved by the West Virginia Board of Education. Only an individual who holds a bachelor's degree from an accredited institution of higher education, and has completed a state approved athletic trainer program, (including the content test) through an accredited institution of higher education, and has the recommendation of the institution of higher education shall be eligible for the Professional Service Certificate endorsed for athletic trainer.

4.2. A Permit for Full-Time Employment endorsed for athletic trainer may be granted to an individual who holds a minimum of a bachelor's degree and has completed twenty five percent of an approved athletic trainer program. (See Policy 5202, Minimum Requirements for the Licensure of Educational Personnel and Advanced Salary Classifications for information regarding issuance and renewal of

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permits.)

4.3. An Authorization endorsed for athletic trainer may be issued to an individual who holds certification through the National Athletic Trainers Association (NATA) Board of Certification. The Authorization may be reissued annually upon application to the West Virginia Department of Education with documentation of valid NATA certification and the recommendation of the superintendent of the employing county.

4.4. A Authorization will be issued to an individual who holds a high school diploma, or General Education Diploma from an accredited secondary school and successfully completes the section one Athletic Trainer Paraprofessional Course as administered by the West Virginia Secondary School Activities Commission. The Authorization will be granted for a period of one year and may be renewed for the second year by successfully completing section two of the Athletic Trainer Paraprofessional Course, and for the third year successful completion of section three of the Athletic Trainer Paraprofessional Course. Years(s) four and beyond requires the submission of proof of passage of section three of the Athletic Trainer Paraprofessional Course. All authorizations require the recommendation of the county superintendent.

§126-118-5. Continuing Education Requirements.

5.1. The renewal, conversion, and permanent status of the Professional Service Certificate will be in keeping with continuing education guidelines approved by the West Virginia Board of Education in conformity with the School Laws of West Virginia related to the Professional Certificate.

5.2. Any individual employed as an athletic trainer by a county school system on the basis of a permit, professional certificate, permit or authorization shall participate in county and state approved continuing education programs based on a Systematic Program of Continuing Education for Public School Personnel in West Virginia. In the development of county continuing education programs for athletic trainers, consideration shall be given to statewide needs assessment data related to the roles and responsibilities of athletic trainers.

§126-118-6. Professional Development.

6.1. Programs for the professional development of athletic

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trainers shall comply with the program standards for athletic trainers approved by the West Virginia Board of Education.

6.2. The issuance and renewal of certificates and the review, approval, and monitoring of professional development programs for athletic trainers shall be under the jurisdiction of the West Virginia Board of Education through the West Virginia Department of Education.

§126-118-7. Role.

7.1. General Role Description.
The athletic trainer possesses the essential knowledge, skills, attitudes, and credentials necessary to carry out the practices of prevention, evaluation, initial care, and physical rehabilitation of injuries sustained by students engaged in public school athletic and related programs. The athletic trainer has responsibility for the development, implementation, and management of the athletic training program.

§126-118-8. Governing Principles.

8.1. An individual serving as an athletic trainer may not have simultaneous coaching responsibilities in the same sport.

8.2. A state certified athletic trainer must be in attendance at all senior high school football practices and games, unless the school is excused from this requirement for individual practices or games by the county superintendent or designee. Excuses may be granted for illness, accident or other unforeseeable event. If, because of excuse, an athletic trainer is not in attendance at such practice or game the county superintendent shall secure the attendance of other persons trained in treatment of illness or injury, including physician, nurse, paramedic or others with specialized training.

8.3. The decision whether or not a student athlete participates in a practice or game is the responsibility of the athletic trainer, except in the presence of a physician who has the ultimate decision making responsibility.

§126-118-9. Athletic Trainer Review Board.

9.1. The West Virginia State Board of Education shall appoint a ten member Athletic Trainer Board. The composition of the board shall be as follows: The State Superintendent of Schools or designee; one representative from higher education; Executive

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Secretary from the West Virginia Secondary Schools Activities Commission, or designee; one senior high principal; one representative or designee of the National Athletic Trainer Association; one senior high Athletic Director; three physicians licensed to practice medicine in West Virginia and one physical therapist.

9.2. The State Superintendent of Schools or his designee will serve as chair of the board.

9.3. The Athletic Trainer Board will consider waiver requests pursuant to Section 3.4 and advise the West Virginia State Board of Education on matters relating to athletic trainers.

9.4. The length of term of members shall be four years and commence July 1st of the appointment year, except that the State Superintendent is a permanent member, ex officio.

9.5. Vacancies shall be filled at the time the vacancy occurs and the new appointee shall serve the unexpired term of the member vacating the position.

9.6. This board shall be voluntary in nature of service with no remuneration, with the exception of travel expenses to attend meetings of the Athletic Trainer Board.

FISCAL NOTE WORKSHEET

(Submit 4 Copies)

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

SUBJECT Policy 5112 Athletic Trainers in the Public Schools of West Virginia. FUND _____

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

COST OF 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 & 3 GIVE EXPLANATION OF BREAKDOWN BY FISCAL YEAR INCLUDING LONG-RANGE EFFECT

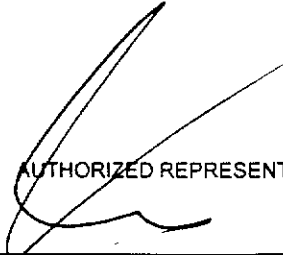
EFFECT OF PROPOSAL	ANNUAL		FISCAL YEAR		
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
1. ESTIMATED TOTAL COST	\$	\$	\$ <u>4,000</u>	\$	\$
PERSONAL SERVICES CURRENT EXPENSES REPAIRS/ALTERATIONS EQUIPMENT OTHER	\$	\$	\$	\$	\$
2. ESTIMATED TOTAL REVENUES	\$	\$	\$	\$	\$

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

An anticipated cost of \$4,000.00 for the development of course work and auxiliary meetings.

DATE
10/19/00

AGENCY
West Virginia Department of Education

AUTHORIZED REPRESENTATIVE


PUBLIC RESPONSE

State Board of Education Policy 5112 - Athletic Trainers in the
Public Schools of West Virginia

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

Individual/Organization: _____

Address: _____

Telephone: _____

COMMENTS

Section 1:

Section 2:

Section 3:

Section 4:

Section 5:

Section 6:

Section 7:

Section 8:

Section 9:

General Comments:

RETURN BY: November 30, 2000

TO: John Ray, Coordinator
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