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**WEST VIRGINIA
SECONDARY SCHOOL
ACTIVITIES COMMISSION**



RULES AND REGULATIONS HANDBOOK

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2022-2023

THE RULES AND REGULATIONS

of the

**West Virginia Secondary School
Activities Commission**

as set forth in the

Constitution and Bylaws

and

Approved by the West Virginia State Board of Education

Published by

THE BOARD OF DIRECTORS

of

The West Virginia Secondary School Activities Commission

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INTRODUCTION

Officers of the Activities Commission

THE BOARD OF DIRECTORS

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MEMBER:	EDDIE CAMPBELL County Superintendents, Tucker County Parsons, West Virginia 26287	Office: 304-478-2771
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ASSISTANT EXECUTIVE DIRECTOR	WAYNE RYAN 2875 Staunton Turnpike Parkersburg, West Virginia 26104-7219	Office: 304-485-5494
ASSISTANT EXECUTIVE DIRECTOR	DR. CINDY DANIEL 2875 Staunton Turnpike Parkersburg, West Virginia 26104-7219	Office: 304-485-5494

DEPUTY BOARD MEMBERS AND JURISDICTION**REGION ONE****MEREDITH DAILER**

WHEELING PARK HIGH SCHOOL, WHEELING, WEST VIRGINIA

Counties: Brooke, Hancock, Marshall, Ohio, Tyler and Wetzel

REGION TWO**KENNY DEMOSS**

PARKERSBURG HIGH SCHOOL, PARKERSBURG, WEST VIRGINIA

Counties: Calhoun, Doddridge, Gilmer, Jackson, Pleasants, Ritchie, Roane, Wirt and Wood

REGION THREE**MATT DeMOTTO**

BRIDGEPORT HIGH SCHOOL, BRIDGEPORT, WEST VIRGINIA

Counties: Harrison, Marion, Monongalia, Preston, Taylor and Tucker

REGION FOUR**RON LYONS**

HEDGESVILLE HIGH SCHOOL HEDGESVILLE, WEST VIRGINIA

Counties: Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral, Morgan, and Pendleton

REGION FIVE**STACEY CUTLIP**

WEBSTER COUNTY HIGH SCHOOL, UPPERGLADE, WEST VIRGINIA

Counties: Barbour, Braxton, Clay, Lewis, Nicholas, Randolph, Upshur, and Webster

REGION SIX**VACANT**

Counties: Fayette, Raleigh and Summers

REGION SEVEN**AMY ROBERTSON**

GREENBRIER WEST HIGH SCHOOL, CHARMCO, WEST VIRGINIA

Counties: Greenbrier, Monroe and Pocahontas

REGION EIGHT**ANNA LILLY**

PIKEVIEW HIGH SCHOOL, PRINCETON, WEST VIRGINIA

Counties: McDowell, Mercer and Wyoming

REGION NINE**SHAWN WHEELER**

BUFFALO HIGH SCHOOL, BUFFALO, WEST VIRGINIA

Counties: Boone, Kanawha, Mason and Putnam

REGION TEN**SARA STAPLETON**

WAYNE HIGH SCHOOL, Wayne West Virginia

Counties: Cabell, Lincoln, Logan, Mingo and Wayne

TITLE 127

CONSTITUTION AND BY LAWS COMMITTEE

JASON MARLING, Principal
Sherrard Middle School
Wheeling, West Virginia

VACANT

STEVE WAMSLEY, Principal
Tygarts Valley High School
Mill Creek, West Virginia

MIKE COLLINS, Principal
Bluefield High School
Bluefield, West Virginia

VACANT

BOARD OF TRUSTEES

Kenny DeMoss

Parkersburg High School

Vacant

Vacant

Vacant

Vacant

DISCRIMINATION PROHIBITED: As required by federal laws and regulations, the West Virginia Secondary School Activities Commission does not discriminate on the basis of sex, race, color, religion, handicapping condition, marital status, or national origin to employment or in its programs and activities. Inquiries may be referred to Bernie Dolan, Executive Director, 2875 Staunton Turnpike, Parkersburg, WV 26104. NOTE: State and Federal laws include Title IX, Education Amendments of 1972; Title VI, Civil Rights Act of 1964; Title VII, Civil Rights Act of 1964; Rehabilitation Act of 1973, Section 504; and other State and Federal laws and regulations governing students and employees.

BELIEFS AND OBJECTIVES

The Commission believes that a controlled activities program is a strong factor in the development of courage, personality, cooperation, and leadership. The Commission believes that representatives of a school should be good citizens of that school, hence the need for requirements and regulations governing eligibility that have been standardized.

The Commission is designed to provide means for the unbiased and amicable settlement of disputes regarding activities.

The Commission seeks to present proper ideals of sportsmanship so that coaches, players, school authorities, game officials, and spectators may combine to make any activity enjoyable and productive of physical and social benefits to both sides involved in the contest, with partisanship and prejudice eliminated as far as possible.

To accomplish these objectives the Commission asks the cooperation of its members, all lovers of clean, wholesome activities, and all fans, young and old, who believe in our American system of interscholastics.

HISTORICAL SKETCH

The West Virginia High School Athletic Association was organized June 17, 1916, during a meeting of the West Virginia State Education Association. The original draft of the Constitution and Bylaws as formulated by Mr. R.J. Gorman, Charleston, West Virginia, was submitted to the principals of the high schools by Principal W.C. McKee of Charleston High School.

The charter members were Bluefield, Charleston, Clarksburg (Washington Irving), Elkins, Fairmont West, Grafton, Huntington, Parkersburg, St. Marys, Sistersville and Wheeling.

The first officers were: President, John G. Graham, Principal of Huntington High School; Vice President, Benjamin H. Williams, Principal of Beaver High School, Bluefield; and Secretary-Treasurer, H. P. Johns, Principal of Wheeling High School.

The officers of the association were to be three in number; namely, a president, a vice president, and a secretary-treasurer.

After a few minor changes of the original draft, the eleven charter member schools met and adopted the Constitution and Bylaws by an unanimous vote.

The Association grew very rapidly during the ensuing years, and the work on the part of the secretary-treasurer especially became very burdensome. During these years on three or four occasions, moves were made to employ a full time executive secretary, a step that had been taken in several other states. However, on each occasion, such proposal was defeated.

It was not until 1946 that the Board of Control of the Association realized that a principal of a member school could not serve his school in an acceptable manner and at the same time serve as secretary-treasurer of the High School Athletic Association.

As a result of a meeting of the Board of Control held in Bluefield, West Virginia, on April 6, 1946, "the report of the Committee on the Executive Secretary was distributed to the members in mimeographed form, and on motion of Principal W. C. Whaley, East Fairmont, and seconded by Principal Robert L. Bryan, South Charleston, the report was accepted by a majority vote."

The report accepted was as follows:

"The president, vice president and treasurer shall constitute a Board of Appeals, which board shall have authority to appoint an executive secretary to serve for a period of four years or during the will and pleasure of the Board of Appeals. The beginning salary of the executive secretary shall be three thousand four hundred dollars (\$3,400) to four thousand dollars (\$4,000)."

Shortly after the meeting in Bluefield, the Board of Appeals met and employed William R. Fugitt as the first Executive Secretary of the West Virginia School Athletic Association, and Mr. Fugitt immediately set up his office in Beckley, West Virginia.

Mr. Fugitt came into his new position well prepared for the work ahead. A graduate of Marshall College (AB) and the University of Cincinnati (MA), Mr. Fugitt began his career as an elementary principal. He then taught and coached at Proctorville, Ohio, and Dunbar, West Virginia, after which he served for four years as a high school principal in Beckley. From 1933 to 1937, Mr. Fugitt was Assistant County Superintendent of Raleigh County Schools.

During Mr. Fugitt's tenure as Executive Secretary of the Secondary School Activities Commission, he was elected President of the National Federation of State High School Associations, an organization in which some 20,000 senior and Middle School/9th Grade hold membership.

During Mr. Fugitt's tenure in office, the name of the Association was changed to that of the West Virginia Secondary School Activities Commission. This took place in 1955.

Mr. Fugitt passed away on November 3, 1959 and was succeeded by W. Gordon Eison who, at that time, was a member of the Board of Appeals. The office was moved to Charles Town for a short time and then to Parkersburg upon Mr. Eison's relocation.

Mr. Eison was a graduate of Glenville State College (AB) and West Virginia University (MA). He served the Wirt County Board of Education for a period of 14 years as teacher, coach, principal, and county superintendent of schools before moving on to the principalship of Charles Town High School in Jefferson County.

Mr. Eismon was in his 12th year as principal at Charles Town when appointed to the Executive Secretary position. During his tenure as Executive Secretary, he, like Mr. Fugitt, was elected President of the National Federation of State High School Associations.

Mr. Eismon retired September 1, 1975 and was succeeded by Mr. Sam Williams who, at the time, was serving as West Virginia's first Assistant Executive Secretary.

Mr. Williams was educated at Glenville State College (AB) and received his MA at West Virginia University. He then became Principal of Wirt County High School and served in that capacity for ten years. From Wirt County, Mr. Williams moved to New Matamoras, Ohio, where he served as Executive Head of that school district for two years and moved on to St. Marys High to serve as principal for five years. For a period of twenty years, Mr. Williams was active as a football official in high schools and colleges in West Virginia and Ohio and was ranked as one of the top football officials in the Mid-Atlantic Conference.

It was during his tenure that the Commission experienced tremendous growth, particularly in the area of girl's sports and state level championships. The current WVSSAC office was also built during this time. Mr. Williams retired on January 1, 1986.

Mr. Bill Hanlin became Executive Secretary on January 1, 1986, after serving as Assistant Executive Secretary since 1975. Mr. Hanlin was educated at Glenville State College (AB). He then coached football at Tyler County High School and Ashland High School, Ashland, Ohio. Mr. Hanlin entered the University of Maryland as a graduate assistant and earned his MA Degree. After receiving his MA at Maryland, he returned to St. Marys High School as football coach for nine years. He returned to Glenville State College as head coach in football from 1966 until 1975 before becoming the Assistant Executive Secretary.

Important programs implemented during Mr. Hanlin's tenure included the officials and schools rating systems, PROJECT TARGET, the Academic Achievement Awards and state-wide cheering competition. He also served on the National Federation of State High Schools Executive Committee as Vice President and was a member of the National Federation TARGET Executive Committee.

Mr. Jim Hamrick assumed the Executive Secretary position on January 16, 1989. A graduate of Glenville State College (AB) and West Virginia University (MA), Mr. Hamrick began his career at his high school Alma Mater, Meadow Bridge High School. After teaching math and coaching there for three years, he moved to Rainelle High School where he was head coach of all sports for four years. From there he went to Clendenin High School for one year. During that time he was a member of the WVSSAC Board of Appeals, directed the State Track Meet and served on numerous other WVSSAC Committees. He was also a member of the National Federation Track Rules Committee on two occasions. From there he moved on to Herbert Hoover High School for seven years. In 1970 he was named as principal at Clendenin Junior High School where he served until 1989. For twenty-five years he served as a football, basketball, baseball and track official. He also directed numerous state basketball tournaments and was director of the state track meet for thirteen years. He retired in August 1992.

Mr. Warren Carter assumed the position as Executive Secretary in September 1992. He had served as Assistant Executive Secretary since 1985. He graduated from Shepherd College (AB) and West Virginia University (MA). Mr. Carter taught at Charles Town and later assumed the principalship of Shepherdstown High School. He was the Principal at Jefferson High School at the time of his appointment to the WVSSAC staff. Prior to that time he had served as President of the Board of Appeals and as a member of the National Federation Executive Committee.

Important programs expanded or implemented during Mr. Carter's tenure included Sportsmanship, Ethics, and Integrity Program, NFICEP Coaches' Education, Regional Principals' Meetings, Girls' Sports, state championships in swimming and three-person officiating crews in basketball. He was also largely responsible for technology advancements such as computerized scanning of forms, office networking, and creation of a WVSSAC web site. He retired in December 1999.

Ms. Janet Pannett was appointed Assistant Executive Secretary in January 1993. She was appointed Administrative Assistant of the WVSSAC in July 1986. Ms. Pannett was a graduate and former instructor and coach at West Liberty State College. She received her MA degree from West Virginia University. During her tenure, tremendous growth and development occurred in the girls program and implementation of state-wide competition in cheerleading.

Mr. Gerald Trembush, Principal of Moundsville Jr. High School and past president of the WVSSAC Board of Appeals, was appointed Assistant Executive Secretary on May 1, 1993. He taught and served as Principal at Sherrard Jr. High School and in 1972 assumed the Assistant Principalship at John Marshall High School. He was appointed Principal at Moundsville Junior High School in 1984.

Ms. Elizabeth W. Best, Assistant Principal of Jefferson High School, was appointed Assistant Executive Secretary on June 13, 1995. She graduated from Shepherd College (BS) and West Virginia University (MA). She taught mathematics and served as department head at Jefferson High School for eleven years. She was appointed Assistant Principal at Jefferson High School in 1988.

Mr. C. W. "Butch" Powell, Athletic Director and Boys' Basketball Coach of Nicholas County High School, was appointed Assistant Executive Secretary on August 5, 1997. He taught, coached, and served as athletic director at Kingwood High School from 1969 to 1974 and then assumed similar positions at Nicholas County High School from 1974-1997.

Mr. Mike Hayden assumed the position as Executive Secretary in January 2000. He graduated from Parkersburg High School in 1960 and Morehead State University in 1965. He taught and coached for two years at Massillon High School and Fremont, OH for 1 year before returning to Parkersburg High School in 1968 as teacher/coach. He was head football coach at Parkersburg South High School from 1970-84 and Assistant Principal at Parkersburg High School from 1984-December 1999. He is a Certified Athletic Administrator (CAA) and has a Masters Degree in Education Administration from West Virginia University.

Mr. Gary W. Ray assumed the position as Executive Director in August 2007. He had served as Assistant Executive Director since May 26, 2001. He graduated from Glenville State College and received his Masters Degree from the WV College of Graduate Studies in 1979. He became athletic director and assistant principal of Oak Hill High School in 1978 and assumed the principalship in 1995. He served as Director of Schools in Fayette County. He was active with the WVSCA Coaches' Association and the West Virginia Athletic Directors' Association. He has also been a member of the WVSSAC Board of Appeals, TARGET Committee, and WVSSAC Sportsmanship Committee.

Miss Kelly Geddis was appointed Assistant Executive Director on October 17, 2002. She earned her teaching certification in English and Physical Education in 1981 and completed her Masters Degree in Sport Management and her Administration Certification from West Virginia University. She began her teaching career at Morgantown High School where she coached the sports of cheer, girls' basketball and boys' track. In 1987 she became Athletic Director and later served as an Assistant Principal. She has been an instructor for the WVSSAC Coaches Education Program since its inception in 1991 and is also an instructor for the American Association of Cheerleaders, Coaches and Advisors (AACCA).

Mr. Ray Londeree, Principal at Valley (F) High School, was appointed Assistant Executive Director on March 15, 2007. He received his AB from Concord College and MS degree from WV College of Graduate Studies. He has served as principal at Oak Hill High School, Eastern Greenbrier Jr. High and Gauley Bridge High/Middle School. He also coached several sports and was athletic director at Valley, Mt. Hope and Oak Hill High School. He has also been a member of the WVSSAC Board of Directors.

Mr. Bernie Dolan assumed the position of Executive Director January 2016. He served as Assistant Executive Director from July 2015 till he took office in January 2016. He received his BA from West Virginia University and his Masters in Safety and Environmental Engineering. He also received a Professional Administration Certificate from Salem International University. He served as Deputy Superintendent in Ohio County. At Wheeling Park High School, he served as Principal, Assistant Principal/Athletic Director, Technology Coordinator and math instructor. He served as Director for the Super Six; Director of the State Golf Tournament; on the OVAC Executive Board; and on the WVADA Board of Directors. He has also been a member of the WVSSAC Board of Directors.

Mr. Greg Reed, Assistant Principal/Athletic Director, Martinsburg High School was appointed Assistant Executive Director in December 2015. He attended Glenville State College majoring in Secondary Education. He received his MA in Communication Studies from WVU and his Educational Leadership degree from Salem International University. He taught and coached at Nicholas County High School. He served as Assistant Principal/Athletic Director at Martinsburg High School since 2003.

Mr. Wayne Ryan assumed the position of Assistant Executive Director in July, 2016. He served as Assistant Principal/Athletic Director at Summers County High School. He received his Bachelors in Secondary from Alderson Broaddus and Masters in Communication from West Virginia University. He received his CAA certification from the NIAAA. He is also a member of the WBCA, NFHSCA, WVSACA, NIAAA and the WWADA.

Dr. Cindy Daniel joined the WVSSAC staff in July 2018 as an Assistant Executive Director. A veteran educator with 34 years of experience in the West Virginia public school system, Dr. Daniel has served as a teacher, coach, curriculum supervisor, assistant principal, acting principal, and assistant superintendent before retiring in 2017 as the WV Deputy State Superintendent of Schools. She earned her bachelor's degree in Multi-categorical Special Education from the University of Charleston, masters' degrees in School Counseling and Leadership Studies from Marshall University, and her doctorate in Leadership Studies from Marshall University.

REORGANIZATION AND LEGALIZATION

Prior to 1952, the Bylaws consisted of major rules to which had been added, over the years, explanations and rulings based upon interpretations and decisions of various Boards of Appeals. As a result of general acceptance and long usage, these explanations and interpretations acquired force and meaning comparable to the basic rules. Consequently, at the annual meeting of the Board of Control in 1952, official action was taken declaring that, because of usage, explanations and interpretations under the rules are a part of the rules.

At the annual meeting in 1955 a constitution was adopted establishing authority for a reorganization to include all interscholastic activities and the changing of the name of the organization from the "West Virginia High School Athletic Association." The reorganization provided for a division of the Bylaws into two separate parts: "The Athletic Bylaws" and "The Non-Athletic Activities Bylaws."

An act to amend Article 2, Chapter 18 of the Code of West Virginia of 1931 as amended by adding thereto a new section, designated Section 25, pertaining to The West Virginia Secondary School Activities Commission was enacted into law by the West Virginia Legislature on March 11, 1967. The new law created the West Virginia Secondary School Activities Commission as a legal entity, an arm of the county school boards. As such it is authorized by law to make rules and regulations and to adjudicate contested cases.

Prior to the enactment of the law in 1967, the Commission's scope of jurisdiction included supervision, control and regulation of all interscholastic extracurricular activities of the schools of its members. The law now limits the Commission's scope of jurisdiction to interscholastic athletic events and band activities.

The position of the Commission was further strengthened as the result of a decision rendered by the West Virginia Supreme Court of Appeals in a case styled, WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION v HARVEY OAKLEY, JUDGE, AND EDWARD LEE, dated September 1968.

The decision rendered is long and need not be recounted here in its entirety. However, a few very significant statements from that decision are important enough to be included in this section on LEGALIZATION. (Boldface is pertinent. Points not necessarily in order in the decision).

1. As a general rule courts should not interfere with the internal affairs of school activities commissions or associations.
2. The West Virginia Secondary School Activities Commission is still for all intents and purposes in the same position as it has been for the past fifty years; that is, that member schools eligible to participate may voluntarily do so, and after such participation, they agree to comply with the rules and regulations that have governed such organization in the past and will govern in the future.
3. The organization has had rules for eligibility of students to participate in athletics or procedure for declaring such students ineligible to participate and for disciplinary procedures for member schools

and for the review of such action or decision made by the officers of boards of the association or organization during its entire existence. Where such procedure is provided for in such organization or association the procedure must be followed and due process of law may be afforded administratively without the use of or application to the courts.
(State ex. rel. Burchett v Taylor, 150 W.Va. 702, 149 S.E. 2d 234.)

The question as to whether a student's participation in interscholastic athletics is a CONSTITUTIONAL RIGHT or a PRIVILEGE was answered in litigation in the UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF WEST VIRGINIA, CHARLESTON, in a Civil Action case No. 79-2497 Harris vs. West Virginia Secondary School Activities Commission, et. al.

On September 2, 1981, Chief Judge Dennis R. Knapp ruled:

"The Supreme Court held that a student's legitimate entitlement to an education is a property interest protected by the due process clause of the Fourteenth Amendment, Gross vs. Lopez, 419 U.S. 754; 95 S. Ct. 729 (1975). However, participating in interscholastic athletics is only a mere expectation rather than a constitutionally protected claim of entitlement and, thus, falls outside the protection of due process. Moreland v. Western Pennsylvania, 572 F. 2d 121 (3rd Cir. 1978). Even if the plaintiff's due process arguments were well founded, the WVSSAC, in both its rules and actions, provided plaintiff with a sufficient review procedure that ultimately resulted in the relief sought."

Judge Knapp's decision was appealed to the UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT in Richmond, Virginia. On May 2, 1982, Senior Circuit Judge Clement F. Haynsworth, Jr. and Circuit Judges H. Emory Widener, Jr. and Robert F. Chapman agreed with and affirmed the District Court's opinion.

In June, 1987, a Petition for Writ of Mandamus was filed by A. James Manchin, Treasurer of State of West Virginia, asking that the WVSSAC comply with statutory requirements of state agencies and that the WVS-SAC deposit with the State Treasurer, within 24 hours, "all monies received or collected by them for or on behalf of the State for any purpose whatsoever."

The Supreme Court ruled and Justice McHugh wrote the opinion in December 1987. This opinion stated that "Funds received by the West Virginia Secondary School Activities Commission, which operates pursuant to authority granted it by county boards of education under W.Va. Code 18-2-25 (1967), are quasi-public funds" as defined in W.Va. Code 18-5-13 (1987), and are to be accounted for in a manner similar to that provided for funds of county boards of education, but such funds are not to be accounted for under W.Va. Code 12-2-2 (1983) as "monies due the State." Consequently, the Writ of Mandamus on behalf of Treasurer Manchin was denied.

The titles Executive Secretary, Assistant Executive Secretary and Board of Appeals were changed by the Board of Control in April 2002 to Executive Director, Assistant Executive Director, and Board of Directors respectively.

A partial list showing the number of member schools from 1931:

1931-135	1944-214	1957-305	1970-320+	1983-313	1996-308	2009-301
1932-193	1945-214	1958-318	1971-323	1984-321	1997-307	2010-293
1933-195	1946-219	1959-320	1972-318	1985-314	1998-304	2011-287
1934-198	1947-221	1960-320	1973-322	1986-313	1999-304	2012-287
1935-196	1948-222	1961-318	1974-322	1987-316	2000-304	2013-288
1936-205	1949-226	1962-321	1975-320	1988-316	2001-306	2014-288
1937-212	1950-228	1963-328	1976-313	1989-318	2002-300	2015-288
1938-218	1951-287*	1964-333	1977-312	1990-327	2003-296	2016-288
1939-215	1952-287	1965-334	1978-310	1991-320	2004-299	2017-288
1940-219	1953-289	1966-333	1979-311	1992-306	2005-297	2018-289
1941-220	1954-290	1967-332	1980-313	1993-306	2006-297	
1942-221	1955-291	1968-327	1981-311	1994-306	2007-292	
1943-214	1956-296	1969-317	1982-311	1995-307	2008-292	

*Hereafter this figure includes Middle School/9th Grade as members.

+Hereafter this number also includes Private and Parochial School Members.

NATIONAL FEDERATION OF STATE HIGH SCHOOL ASSOCIATIONS

The National Federation consists of the fifty individual state high school athletic and/or activities associations and the association of the District of Columbia. Also affiliated are nine interscholastic organizations from the Canadian Provinces of Alberta, British Columbia, Manitoba, New Brunswick, Newfoundland-Labrador, Nova Scotia, Ontario, Prince Edward Island, Saskatchewan and Quebec as well as the Canadian School Sports Federation and the associations of the Republic of the Philippines, Guam and Saint Thomas.

These associations have united to secure the benefits of cooperative action which eliminates unnecessary duplication of effort and increases efficiency through the pooling and coordinating of ideas of all who are engaged in the administration of high school athletic and activities programs.

ORIGIN AND GROWTH

The national organization had its beginning in a meeting at Chicago on May 14, 1920. L.W. Smith, secretary of the Illinois High School Athletic Association, issued invitations to neighboring states, and state association representatives came from Illinois, Indiana, Iowa, Michigan and Wisconsin. The primary purpose of the meeting was to discuss problems which had resulted from high school contests which were organized by colleges and universities or by other clubs or promoters. In many cases, little attention was paid to the eligibility rules of the high school associations or to other school group regulations, and chaotic conditions had developed. At this first meeting it was decided that the welfare of the high schools required a more active part in the control of such athletic activities be exercised by the high school through the state associations, and this control necessitated the formation of a national organization. A Constitution and Bylaws were adopted and the group decided on the name "Midwest Federation of State High School Athletic Association." Principal George Edward Marshall, Davenport, Iowa, was elected president and Principal L.W. Smith of Joliet, Illinois, was elected secretary-treasurer.

In 1921, four states — Illinois, Iowa, Michigan and Wisconsin — continued their interest and became charter members through formal ratification of the constitution. Largely due to their efforts, the national organization grew during the early years.

In 1922, the Chicago annual meeting was attended by representatives from eleven states, and the name of the National Federation of State High School Athletic Associations was adopted. A number of college and university representatives who attended the meeting expressed sympathy for and interest in the efforts to introduce a high degree of order in the regulation of interscholastic contests.

Since that time, the National Federation has had a healthy growth to its present nationwide membership. By 1940, a national office with a full-time executive staff became necessary, and such office was established in September of that year.

The legislative body is the National Council made up of one representative from each member state association. Each representative must be a state association chief executive officer or governing board member. The executive body is the Executive Committee of twelve members from the eight territorial sections as outlined in the Constitution. Their election is by the National Council at its summer meeting.

STATEMENT OF PHILOSOPHY

The purpose of the National Federation of State High School Associations is to coordinate the efforts of its member state associations toward the ultimate objectives of interscholastic activities. It shall provide a means for state high school associations to cooperate in order to enhance and protect their interscholastic programs. In order to accomplish this, the National Federation is guided by a philosophy consistent with the accepted purposes of secondary education. Member state associations' programs must be administered in accordance with the following basic beliefs:

127CSR1
LEGISLATIVE RULE
WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION

SERIES 1
CONSTITUTION

§127-1-1. General.

1.1. Scope. -- These rules establish the organization and duties of the West Virginia Secondary School Activities Commission.

1.2. Authority. -- W. Va. Constitution, Article XII, §2, and W. Va. Code §§18-2-5, 18-2-25, 18-2-25a, and 18-2-25b.

1.3. Filing Date. -- July 14, 2022.

1.4. Effective Date. -- September 12, 2022.

1.5. Repeal of Former Rule. -- This legislative rule amends W. Va. 127CSR1, West Virginia Secondary School Activities Commission Series 1, Constitution, filed July 11, 2019, and effective September 9, 2019.

§127-1-2. Name.

2.1. The name of this organization shall be the West Virginia Secondary School Activities Commission (WVSSAC/Commission), a voluntary organization. Extracurricular activities of the students in the public secondary schools are controlled pursuant to W. Va. Code §18-2-25, and authority for the delegation of such control to the Commission is granted by statute.

§127-1-3. Goals.

3.1. This Commission, through the employment of the instrumentalities hereinafter established, shall supervise and control interscholastic athletics and band activities among member schools.

3.2. In the performance of these functions it shall be the aim of the Commission:

3.2.a. To stress the cultural values, appreciations, and skills involved in these interscholastic activities, and to promote cooperation and friendship;

3.2.b. To limit these interscholastic activities in both character and quantity so that these activities and events may be looked upon as promoting the objectives of secondary education, and as such shall not interfere with nor abridge the regular program of teachers and students in the performance of their duties;

3.2.c. To encourage economy in expenses of these interscholastic activities;

3.2.d. To discourage long trips for interscholastic activities; and

3.2.e. To establish minimum standards of conduct for both active and spectator participants, coaches, and all other school personnel at all interscholastic activities approved, sponsored, or controlled by this Commission.

§127-1-4. Membership.

4.1. The WVSSAC shall be composed of the principals or designee, of those public or private secondary schools which have certified in writing to the State Superintendent of Schools of West Virginia (State Superintendent) that they have elected to delegate the control, supervision, and regulation of their interscholastic athletic and band activities.

4.2. Membership in the Commission shall be predicated upon accepting the following conditions:

4.2.a. The principal or designee is and shall be the sole representative of the school in all matters pertaining to the constitution, bylaws, rules and regulations of the Commission;

4.2.b. The principal or designee is and shall be responsible for conducting interscholastic athletic and band activities of the school in accordance with the constitution, bylaws, rules and regulations of the Commission which have been adopted by the Board of Control of the Commission for the governing of such activities;

4.2.c. Pay the annual dues charged by the Commission;

4.2.d. The principal or designee shall file a statement with the Executive Director of the Commission agreeing to abide by and support the constitution and the rules and regulations of the Commission.

4.2.e. A member school must sponsor one sport per gender during each season - fall, winter, and spring. Schools having membership prior to the 2007-2008 school year are exempt from this provision.

4.2.f. At the annual meeting of the Board of Control, the Executive Director shall announce the names of the principals whose schools have become new members.

4.2.f.1. A middle school shall be a school so designated and approved by the West Virginia Department of Education.

4.2.f.2. A senior high school consists of grades 9, 10, 11, and 12, established by law, and so designated and approved by the West Virginia Department of Education (WVDE).

4.2.g. The first year of membership will be a probationary year with the school not being allowed participation in WVSSAC sponsored tournaments.

4.2.h. A one-time membership fee of \$1,500.00 will be afforded senior high schools, \$500.00 to middle schools, or \$2,000.00 to combined middle/senior high schools.

4.2.i. Public schools seeking membership that are created as a result of consolidation or splitting of existing member schools shall be exempt from the provisions in subsection 4.2.g.

4.3. A school, through its principal, coach, or other official, is not permitted to enter into an agreement with any other school to waive the standards of eligibility of students or waive or change any other requirement established in these regulations.

4.4. Any member violating the regulations of this Commission and refusing to abide by the decision of the Board of Directors or the Review Board shall be subject to the penalties hereinafter set forth. (See §127-6-2 of these regulations.)

§127-1-5. Administration.

5.1. The administration of the WVSSAC shall be vested in the secondary school principal and who shall constitute a Board of Control. The Board of Control shall determine the regulation of interscholastic athletic and band activities among the schools represented by the members of the Commission and shall have charge of all Commission funds, and in order to expedite the regulations of activities shall delegate and assign to the Board of Directors hereinafter constituted, and the Executive Director, hereinafter constituted, and working through the Board of Directors, authority to interpret and enforce these regulations. The Board of Control shall delegate and assign to the Board of Trustees, hereinafter constituted, the power and authority to hold title to and manage the property owned by the Commission. These regulations of the Commission shall be the articles, rules, explanations, and interpretations which have been voted upon and approved by a majority vote of the members of the Board of Control present and voting at the annual meeting of the Commission. Fifty members shall constitute a quorum for the transaction of all business at the annual meeting and approval is by a majority vote of the members of the Board of Control present and voting at the annual meeting of the Commission.

5.2. At the annual or called meetings of the Board of Control of the WVSSAC each member shall have one vote on each question or proposition under consideration. A member may appoint, by a written statement to the president of the Commission, the assistant principal or other member of the faculty to represent the school at meetings of the Board of Control, but no such appointment shall absolve the member of responsibility as defined in these regulations.

5.3. The Board of Control of the WVSSAC shall, at its annual meetings, elect officers of the Commission and define their duties as provided in §127-1-6 of these regulations. The officers so elected shall be members of the Board of Directors of the WVSSAC with the powers and duties assigned to it by §127-1-8 of the regulations of the Commission. The Board of Directors shall be the executive body of the Commission and shall administer the regulations of the Commission. Further, the Board of Directors shall enforce the provisions of these regulations through the application of penalties provided under §127-6-2 of these regulations. Adjudication of disagreements and disputes among members of the Commission shall be one of the chief duties of the Board of Directors. Such adjudication may, however, be appealed to the Review Board.

5.4. The Board of Control of the WVSSAC shall delegate to the Board of Directors, hereinafter constituted, the authority to define, devise, and/or create five administrative districts in the State of West Virginia:

5.4.a. Effective July 1, 1971, and until such time as it is necessary to change the boundaries of such districts, the five administrative districts shall be as follows:

5.4.a.1. First District: Brooke, Calhoun, Doddridge, Gilmer, Hancock, Harrison, Marion, Marshall, Ohio, Taylor, Tyler, and Wetzel.

5.4.a.2. Second District: Barbour, Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral, Monongalia, Morgan, Pendleton, Preston, Randolph, Tucker, and Upshur.

5.4.a.3. Third District: Boone, Braxton, Clay, Kanawha, Lewis, Nicholas, Putnam, and Roane.

5.4.a.4. Fourth District: Cabell, Jackson, Lincoln, Logan, Mason, Pleasants, Ritchie, Wayne, Wirt, and Wood.

5.4.a.5. Fifth District: Fayette, Greenbrier, Mercer, Mingo, McDowell, Monroe, Pocahontas, Raleigh, Summers, Webster, and Wyoming.

5.4.b. Any change in the boundaries of the administrative districts adopted by the Board of Directors shall be submitted for approval to the Board of Control at the annual meeting. Any change requires two thirds affirmative vote of the members present and voting at the annual Board of Control meeting.

5.4.c. Any adopted and approved changes in the boundaries of the administrative districts shall not be cause for reducing the length of the regular term of office of an incumbent officer member.

§127-1-6. Officers and Duties.

6.1. There shall be five elected officer-members of the WVSSAC, each of whom shall be a principal of a secondary school in West Virginia.

6.1.a. The elected officer-members shall constitute the Board of Directors of the WVSSAC.

6.1.b. One officer-member shall be elected to a regular term each year at the annual meeting of the Commission. The runner-up candidate in each election shall be declared the alternate-officer-member and shall serve any portion of the officer-member's unexpired term which may occur. If the alternate-officer-member is not thus determined, then a separate election shall be held to do so. Both the officer-member and alternate-officer-member shall be from the same administrative district.

6.1.c. The regular term of an elected officer-member shall be a period of five years and the term shall begin on Monday of Week 40 of the NFHS Calendar, following the member's election.

6.1.d. An elected officer-member shall be eligible to serve two regular five year terms in succession. Upon completion of the two successive terms, a former officer-member shall not be appointed to, nor elected to fill, a vacancy of an unexpired term during the five year period immediately following the expiration of a regular term. Serving more than one half of an unexpired five year term shall constitute one of the two permitted successive terms.

6.1.e. The election shall be by ballot when more than one candidate from the same administrative district is nominated for officer-member. When more than two candidates from the same administrative district are nominated for officer-member, the balloting shall continue until one candidate receives a majority of the votes cast. The candidate with the least number of votes on each ballot shall be dropped

from each subsequent ballot.

6.1.f. At the first meeting of the Board of Directors following the close of the annual meeting of the Commission, the Board of Directors shall elect one of its officer members to serve as president and one to serve as vice president.

6.2. Two or more members serving as principals of secondary schools located in the same administrative district shall be ineligible to serve as officer-members simultaneously.

6.3. The term of an officer-member shall end immediately upon their agreement to accept a position that would make them ineligible to hold office in this Commission. However, in the event that a director ceases to meet the qualifications for their position but remains in good standing in the last year of their term, such director shall be given the option to remain in their position for the remainder of the assigned term. The vacancy would then be filled at the next annual Board of Control meeting.

6.4. The annual honorarium of each of the officer-members shall be \$500.00.

6.5. The Executive Director shall act as treasurer and shall pay out monies from the funds belonging to this Commission in payment of bills only upon order of the president.

6.6. The president shall furnish bond in the amount of \$20,000. The Executive Director shall furnish bond in the amount of \$100,000. The premium for both of these bonds shall be paid by the Commission.

6.7. The Board of Directors may submit questions for discussion and ascertain sentiment of the schools by means of questionnaires. No vote to alter these regulations shall be taken except at the annual meeting of the Commission, except that the Board of Directors may, in case of emergency, with the consent of the Board of Directors, enact and adopt all necessary rules and regulations, whether by deletion, amendment, revision, or addition, and which emergency rules and regulations shall be filed with the Secretary of State and thereafter submitted at the next annual meeting of the Commission for formal adoption or rejection.

§127-1-7. Meetings.

7.1. The annual meeting of the WVSSAC shall be planned by the Executive Director and the Board of Directors of the Commission.

7.2. Special meetings may be called by order of the president of the Commission. Fifty principals constitute a quorum to transact business.

§127-1-8. Board of Directors.

8.1. The Board of Directors shall have authority to administer the regulations of the WVSSAC.

8.2. The State Superintendent or representative designee, a representative from the West Virginia Board of Education (WVBE), a representative selected by the West Virginia School Boards Association, a representative selected by the West Virginia School Administrators Association, and a representative selected by the West Virginia Athletic Directors Association, shall serve as appointive members of the Board of Directors. These members shall be accorded full voting privileges but shall be ineligible to be

elected or to serve as an officer of WVSSAC.

8.2.a. The president of the West Virginia Association of Secondary School Principals (WVASSP) shall serve as an ex-officio member of the Board of Directors. However, serving the one year term as an ex-officio member shall not render that member ineligible to be elected to a regular five year term as an officer-member provided they are otherwise eligible.

8.3. The Board of Directors shall have authority to appoint an Executive Director, except as hereinafter provided, and such additional assistance as may be necessary to assure efficient functioning of the work of the WVSSAC. Furthermore, the Board of Directors shall have authority to fix and pay salaries to the Executive Director and to other personnel appointed to assist the Executive Director. The Board of Directors shall also have authority to devise a plan of retirement benefits for the Executive Director and other full-time personnel appointed to assist the Executive Director.

8.3.a. At least one of the personnel appointed to assist the Executive Director shall have the status of Assistant Executive Director. The appointment of the Assistant Executive Director shall be made by the Board of Directors only upon the nomination and recommendation by the Executive Director. In case the Board of Directors fails to appoint the person nominated, the Executive Director shall nominate and recommend another person and submit the name to the Board of Directors at such time as the Board may direct. The length of the contract term of office of the Assistant Executive Director shall be the same as that prescribed for the Executive Director in §127-1-11.1-11.2 of these regulations. No Assistant Executive Director shall be removed during the contract term of office except for just and reasonable cause as prescribed in §127-1-11.3.

8.3.b. All other personnel to assist the Executive Director shall be recommended by the Executive Director before being considered for employment by the Board of Directors.

8.3.c. The Board of Directors will annually evaluate the performance of the Executive Director. It shall be the responsibility of the Executive Director to evaluate Assistant Executive Directors. The Executive Director must submit a list of areas of concern to be addressed. From that list, a plan of improvement would be implemented by the Executive Director. Failure on the part of the Assistant Executive Director and other personnel to comply with the plan of improvement could result in disciplinary action up to and including dismissal.

8.4. The Board of Directors shall have power of appointment to fill vacancies in its membership until the vacancies are filled regularly at the next annual meeting of the Commission.

8.5. The Board of Directors shall have power to decide all cases of eligibility of students and participants in interscholastic athletic and band activities. The Board may also exercise discretionary powers it may deem necessary for the furtherance of education and interscholastic athletic and band activities in the secondary schools of West Virginia.

8.6. The Board of Directors shall appoint Deputy Board Members who will serve at the will and pleasure of the Board of Directors.

8.7. At the request of the Board of Directors, a Deputy Board Member may investigate matters of eligibility and other violations of the rules and regulations of the WVSSAC. The Deputy Board Member shall submit to the Board of Directors a written report of findings and recommendations for disposition

of the case(s).

8.8. The Board of Directors shall have the power to investigate through the Deputy Board Member, or in such other manner as may be found advisable, matters of eligibility and other violations of rules when the Board deems it advisable to do so on the basis of information furnished, even though a formal protest is not filed.

8.9. The Board of Directors shall divide the state into regions and sections for the purpose of administration and for tournaments or meets of any interscholastic athletic or band activity.

8.10. The Board of Directors shall hold hearings and render decisions in all contested cases.

8.11. Five (5) officer-members present and eligible to vote at any meeting of the Board of Directors shall constitute a quorum to transact all business.

8.12. The minutes of regular and special meetings of the Board of Directors shall be submitted to principals of all member schools.

§127-1-9. Funds.

9.1. The Board of Directors may initiate the amount of annual dues of the members for any year.

9.2. The Board of Directors is authorized to levy entry fees and assessments for the conducting of any interscholastic athletic or band activity when the activity is not self-supporting. Fees and assessments from one activity division shall not be used for the support of another.

9.3. The Commission shall determine the expenditures of money, but superseding power is given to the Board of Directors to use funds as are necessary to carry on its work.

9.4. The fiscal year of this Commission extends from July 1 to June 30. All monies derived from any contest or other event sponsored by the Commission shall be subject to an annual audit by the West Virginia Tax Commissioner. A written summary of the audit shall be a part of the annual report of the Executive Director to the Board of Control.

9.5. In case of dissolution of the WVSSAC, all funds of the Commission shall be prorated equally and distributed to the County Boards of Education or governing bodies of the members of the Commission. Provided, however, that governing boards of those schools that become members of the Commission subsequent to January 1, 1968, shall be entitled to a prorated share of only that portion of the Commission's fund which has been collected, earned, and accumulated between the inception of such membership and the actual dissolution of the Commission.

§127-1-10. Amendments.

10.1. The articles, bylaws, rules and regulations of the WVSSAC may be amended as provided in this section.

10.2. A Constitution and Bylaws Committee, consisting of five members of the Commission, shall be appointed by and shall serve at the will and pleasure of the Board of Directors. The Board of Directors

shall designate one of the members so appointed to serve as the chairman of such committee.

10.3. The Board of Directors shall give due consideration to maintaining a balance of representation by programmatic level as defined in §127-1-4.2 of this regulation when making new appointments to the Constitution and Bylaws Committee. However, an incumbent member of the committee shall not be ruled ineligible to continue to serve on the committee solely because they become principal of a secondary school different from that from which they were originally appointed.

10.4. It shall be the function and purpose of the Constitution and Bylaws Committee to provide continuity and cohesion in the rules and regulations governing the interscholastic athletic and band activity programs in West Virginia. Further, it shall be the function and purpose of the Constitution and Bylaws Committee to address what it considers, as needed, interim constitutional rule changes for possible Board of Directors' consideration.

10.5. Expenses for authorized meetings of the Constitution and Bylaws Committee shall be defrayed from the funds of the WVSSAC.

10.6. Proposed changes to these regulations may be submitted by any member of the WVSSAC. Such proposed changes, whether by revision, addition or deletion, shall be postmarked or received by the WVSSAC office by January 15 of each year in order to permit the Constitution and Bylaws Committee to study such proposed changes and to submit them, by mail, to the membership 30 days prior to the annual meeting of the Commission.

10.7. At the annual meeting of the WVSSAC each proposed change received by the Constitution and Bylaws Committee, and those interim emergency rules and regulations enacted by the Committee, shall be presented to the membership of the Commission for discussion and formal adoption or rejection. The Committee may accompany each presentment with an explanation of the effect of the proposed change upon present rules and objectives of the Commission. The Committee may also recommend adoption or rejection of the proposal along with the Committee numerical vote for the recommendation.

10.8. The president of the Commission shall appoint a parliamentarian to serve at the meetings of the Commission to decide questions of procedure during the meetings. Roberts Rules of Order shall be followed in conducting the annual meeting and all other meetings.

10.9. An amendment to the regulations of the WVSSAC shall become effective following the annual meeting at which such amendment was adopted and such adoption is formally approved by the WVBE in accordance with W. Va. Code and such other rules and regulations promulgated by the WVBE.

10.10. Nothing in these regulations shall be construed as limiting or in any way affecting the validity of emergency rules and regulations which have been duly approved by the Board of Directors in accordance with §127-1-6.7 of this regulation. Emergency rules and regulations will be effective upon the date they are filed with the Secretary of State of State of West Virginia and remain in effect until the next meeting of the Commission.

§127-1-11. Executive Director.

11.1. The Board of Directors shall employ the Executive Director and Assistant Executive Director. At the discretion of the Board of Directors these positions will be given from one year to four year contracts.

These contracts may be renegotiated prior to expiration. If a new contract is not to be negotiated, individuals in these positions will be notified in writing six months prior to the end of the contract period. A letter to this effect shall be sent to the President of the WVASSP.

11.2. If a vacancy occurs in the office of the Executive Director or Assistant Executive Director position during any contract period, the Board of Directors shall fill such vacancy. The exception will be that if a person serving as a Board of Directors member or one who has served in that capacity within the preceding one year prior to the vacancy becomes a candidate for one of the positions, the authority to fill the vacancy of the position shall be vested in the Constitution and Bylaws Committee.

11.3. The Executive Director shall not be removed during the term of office contract period except for just and reasonable cause. Reasonable cause may include, but not be limited to the following: immorality, incompetency, cruelty, insubordination, intemperance, willful neglect of duty, unsatisfactory performance, the conviction of a felony or a guilty plea or a plea of nolo contendere to a felony charge.

§127-1-12. Duties of the Executive Director.

12.1. The Executive Director shall carry on the work incident to the efficient functioning of the Commission. The general management and administration of the program of officiating for the interscholastic athletic activities sponsored by this Commission is considered a proper function of the Commission.

12.1.a. The Executive Director shall be responsible for assigning general areas of responsibilities and directing the activities of the Assistant Executive Directors as such responsibilities relate to the work of the Commission.

12.1.b. Based on employee evaluations and/or employee performance, the Executive Director shall make the appropriate recommendation of the employment status of all other employees.

12.2. The Executive Director shall receive complaints and make investigations concerning the eligibility of member school students who participate in athletic and band activities. The Executive Director shall also receive complaints and make investigations concerning violations of the rules of the Commission.

12.3. The Executive Director shall render decisions and impose penalties in athletic eligibility and other disputes subject to review by the Board of Directors. The Executive Director shall have the discretion to grant exceptions to the rules based upon previous Board of Directors' decisions on cases of a similar nature. Appeals of rendered decisions by the Executive Director shall be filed within 30 days of the decision unless otherwise stated.

12.4. It shall be the duty of the Executive Director to make a full and complete written report to the county board of education or governing body regarding any disciplinary action taken by the Board of Directors against a member school which is located in the county in which the board of education or governing body has jurisdiction.

12.5. The Executive Director shall attend state meetings of the WVASSP and report, when requested by the principals, on the work of the Commission office.

12.6. The Executive Director shall attend the meetings, when practicable, of the National Federation of State High School Associations and bring meeting reports to the attention of the Commission and the Board of Directors.

12.7. The Executive Director shall devote full time to the work assigned by the Board of Directors. The Executive Director shall hold no other remunerative office or position and shall not officiate at any interscholastic contest.

12.8. The Executive Director shall represent West Virginia in conferences and controversies involving other states.

12.9. The Executive Director shall exercise all rights and privileges pertaining to eligibility and to representation with the National Federation of State High School Associations granted to members by the Board of Directors and principals by these regulations.

§127-1-13. Review Board.

13.1. A WVSSAC Review Board is hereby established.

13.1.a. The Review Board shall consist of seven members to be appointed by the WVBE upon recommendation by the State Superintendent. No person, other than a county superintendent of schools, and a representative of the West Virginia Athletic Directors Association, shall be appointed or shall serve who is employed by the WVBE or any county board of education. All members of the Review Board shall be residents of the State of West Virginia.

13.1.b. Each of the following associations shall be requested to present three nominations to the State Superintendent for membership on the Review Board:

- 13.1.b.1. West Virginia Bar Association;
- 13.1.b.2. West Virginia Association of School Administrators;
- 13.1.b.3. West Virginia State Medical Association;
- 13.1.b.4. West Virginia Sportswriter Association;
- 13.1.b.5. West Virginia Athletic Directors Association; and
- 13.1.b.6. West Virginia Association of Retired School Employees.

13.1.c. Members of the Review Board need not be members of the association which submitted their names in nomination and shall be appointed for a term of five years. Prior to the expiration date of the term of each member of the Review Board, the respective association will nominate three representatives to the State Superintendent who shall subsequently recommend one to the WVBE.

13.1.d. The term of office of each member of the Review Board will begin upon the acceptance of the appointment and will expire on June 30 of the year in which the term expires.

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13.1.e. The member with the shortest remaining tenure on the Review Board shall serve as its chairman. Each appointed member of the Review Board shall have equal voting privileges.

13.1.f. In the same manner as prescribed in §127-1-13.1.a through 13.1.c of this regulation, the WVBE shall have power to fill any vacancy which occurs in the membership of the Review Board. Such appointments shall be made at the next regular or called meeting of the WVBE following the existence of a vacancy, and shall be for the unexpired term of the position vacated.

13.1.g. Members of the Review Board shall serve without pay but shall be reimbursed for actual expenses incident to the performances of their duties upon presentation to WVDE an itemized sworn statement thereof. Costs shall be taxed by the Review Board at its discretion, not to exceed the actual expenses incurred, against the party who fails to prevail and the Review Board may, in its discretion, if it so desires, require any appealing party to post security for costs with the State Superintendent in the sum of \$200.

13.1.h. The Review Board will sit for hearings within a reasonable time after the aggrieved party having a matter for review files an appeal, but not longer than 30 days after such appeal is filed, and at such other times as the Review Board may determine, at the State Capitol in Charleston, or in such other place as the Chair of the Review Board may elect.

13.2. The WVDE shall make available adequate and competent secretarial services to record the proceedings and transactions of each meeting of the Review Board and to prepare the official written report, required in these regulations, on each decision rendered by the Review Board.

13.3. Any decision of the Board of Directors involving a penalty, protest, or interpretation of the rules and regulations of this Commission governing interscholastic athletic or band activities may be appealed to the Review Board in the manner hereinafter described. Such appeal may be made by any member of the aggrieved party directly affected by the decision of the Board of Directors and aggrieved by such decision of the Board of Directors.

13.3.a. Appeals must be filed with the State Superintendent within 15 days after any final decision of the Board of Directors of the WVSSAC.

13.3.b. Upon receipt of any appeal, the State Superintendent shall immediately notify each member of the Review Board of the appeal and the Chair of the Review Board shall set a date, time, and place for hearing and shall immediately notify all interested parties, in writing, of the same.

13.3.c. The filing of any appeal shall not stay enforcement nor act to supersede the prior ruling or decision of the Board of Directors. However, pending the hearing of any appeal, at its discretion, the Board of Directors may grant a stay of enforcement upon such terms as it deems proper.

13.4. Proceedings for review shall be instituted by filing a petition, and five copies of same, with the State Superintendent within 15 days after the date upon which such party received notice of the final order or decision of the Board of Directors. A copy of the petition shall be served upon the WVSSAC or its Executive Director and all other parties of record by registered or certified mail. The petition shall state whether the appeal is taken on questions of law or questions of fact, or both. No appeal bond shall be required to effect any such appeal.

13.4.a. Within 15 days after receipt of a copy of the petition by the WVSSAC, or its Executive Director, or within such further time as the Review Board may allow, the Commission or the Executive Director shall transmit to the Review Board, the original or a certified copy of the entire record of the proceedings under review, including a transcript of all testimony and all papers, motions, documents, evidence, and records as were before the Commission, all Commission staff memoranda submitted in connection with the case, and a statement of matters officially noted; but, by stipulation of all parties to the review proceedings, the record may be shortened. The expense of preparing such record shall be taxed as a part of the costs of the appeal. The appellant shall provide security for costs involved. Upon demand by any party to the appeal, the Commission shall furnish, at the cost of the party requesting same, a copy of such record. In the event the complete record is not filed with the Review Board within the time provided for in this section, the appellant may apply to the Review Board to have the case docketed, and the Review Board shall order such record filed. Failure of the Commission to file the record within the time stipulated shall automatically stay the enforcement of the order or decision of the Board of Directors, in that particular case, and such stay shall continue until such record is filed.

13.4.b. Appeals taken on questions of law, fact, or both, shall be heard upon assignment of error filed in the case or set out in the briefs of the appellant. Errors not argued by brief may be disregarded, but the Review Board may consider and decide errors which are not assigned or argued.

13.4.c. The review shall be conducted by the Review Board without a jury and shall be upon the records made before the Commission, except that in cases of alleged irregularities in procedure before the Commission not shown in the record, testimony thereon may be taken before the Review Board. The Review Board may hear oral arguments and require written briefs.

13.5. After hearing all evidence and arguments, the Review Board shall render a decision in one of three forms:

13.5.a. Sustaining the ruling of the Board of Directors;

13.5.b. Reversing the ruling of the Board of Directors; or

13.5.c. Remanding the matter to the Board of Directors for further action.

13.5.c.1. The Review Board shall reverse, vacate, or modify the order or decision of the Board of Directors if the substantial rights of the petitioner or petitioners have been prejudiced because the administrative findings, inferences, conclusions, decisions, or orders are:

13.5.c.1.A. In violation of constitutional or statutory provisions;

13.5.c.1.B. In excess of the statutory authority or jurisdiction of the Commission;

13.5.c.1.C. Made upon unlawful procedures;

13.5.c.1.D. Affected by other error of law;

13.5.c.1.E. Clearly wrong in view of the reliable probative and substantial evidence on the whole record; or

13.5.c.1.F. Arbitrary or capricious, or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

13.5.c.2. Four members, present and eligible to vote, shall constitute a quorum for the Review Board to transact all business.

13.5.c.3. A majority vote of those members of the Review Board in attendance at any hearing shall be required to render a decision. Such decision shall be final and binding on all parties concerned.

13.5.c.4. Within 30 days from the date of any hearing, the Review Board shall make a written report of its decision, stating briefly therein its reasons for such a decision. Copies of the report shall be mailed to the State Superintendent, the Executive Director of the WVSSAC and, upon written request, to other interested parties.

13.6. Nothing in these regulations shall be construed to limit the Board of Directors in performing its regular duties as provided in the regulations of the WVSSAC; in making investigations and initiating proceedings against any member of the Commission; in making interpretations of the rules of eligibility of student athletes or band members; or in imposing penalties for the violations of any rules, regulations, or bylaws of the Commission.

13.6.a. §127-1-8.5, and §127-6-3.2, *Violation of the Rules*, infer or state that decisions of the Board of Directors are final and are hereby modified only to the extent that such final ruling of the Board of Directors may be appealed within the time limit in the manner prescribed elsewhere in these regulations and affirmed, reversed, or remanded by the Review Board.

§127-1-14. Rules and Regulations.

14.1. The constitution and bylaws of the WVSSAC are the rules and regulations of the Commission.

§127-1-15. Board of Trustees.

15.1. The Board of Directors shall appoint a five member Board of Trustees. Each trustee shall be a principal of a member school and shall serve at the will and pleasure of the Board of Directors. Two or more members serving as principals of secondary schools located in the same administrative district shall be ineligible to serve as trustees at the same time.

15.2. The Board of Trustees and their lawfully appointed successors shall hold title to all real estate and other property owned by the WVSSAC except as shall be directed otherwise by the Board of Control.

15.3. The Board of Trustees shall elect from the membership thereof, to hold office for a term of one year or until a successor shall be elected, a Chair and, if need requires, a Vice-Chair, Secretary and Treasurer.

15.4. The Board of Trustees shall serve without pay or honorarium.

15.5. If it so elects, the Board of Control shall direct the Board of Trustees to incorporate in accordance with the pertinent laws of West Virginia and in such manner as will fully protect and exempt from any and all legal liability the individual officers and members, jointly and severally, of the WVSSAC for an account

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of the debts and other obligations of every kind and description of the Commission.

15.6. Should a trustee withdraw from membership of the Commission or be excluded therefrom, that trusteeship therein shall automatically cease from the date of such withdrawal or exclusion.

15.7. Should a trustee refuse, within five days from the receipt thereof, to execute a legal instrument relating to any property of the Commission, when directed to do so by the Board of Control or the Board of Directors, and when all legal requirements have been satisfied with reference to execution, the Board of Directors may declare that membership on the Board of Trustees vacated.

15.8. The Board of Control and/or the Board of Directors may direct the trustees with respect to the purchase, sale, mortgage, encumbrance, construction, repairing, remodeling and maintenance of any and all property, real and personal, as may be committed to the trustees by the Board of Control or Board of Directors.

**TITLE 127
LEGISLATIVE RULE
WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION**

**SERIES 2
ATHLETICS, PROVISIONS GOVERNING ELIGIBILITY**

§127-2-1. General.

1.1. Scope. -- These rules establish the provisions governing student eligibility to participate in interscholastic athletics.

1.2. Authority. -- W. Va. Constitution, Article XII, §2, and W. Va. Code §§18-2-5, 18-2-25, 18-2-25a, and 18-2-25b.

1.3. Filing Date. -- July 14, 2022.

1.4. Effective Date. -- September 12, 2022.

1.5. Repeal of Former Rule. -- This legislative rule amends W. Va. 127CSR2, West Virginia Secondary School Activities Commission Series 2, Athletics, Provisions Governing Eligibility, filed July 14, 2021, and effective September 13, 2021.

§127-2-2. Waivers.

2.1. The West Virginia Secondary School Activities Commission (WVSSAC/Commission) Board of Directors (Board of Directors) is authorized to grant a waiver to a rule when it determines the rule fails to accomplish the purpose for which it is intended or when the rule causes extreme and undue hardship upon the student.

2.2. Speculative loss of college scholarship is not considered a basis for granting a waiver to these rules.

§127-2-3. Enrollment and Team Membership.

3.1. To be eligible for participation in interscholastic athletics, a student must be enrolled full-time in a member school as described in §127-2-6 on or before the 11th instructional day of the academic year. Enrollment must be continuous after the student has officially enrolled in the school.

3.2. Students can participate in interscholastic activities only in schools in which they are enrolled; however, an exception may be granted by the Board of Directors as follows:

3.2.a. if a feeder school does not afford students the opportunity to participate and they are otherwise eligible.

3.2.b. for students from the West Virginia Schools for the Deaf and the Blind (WVSDb) to participate at Hampshire High School or Romney Middle School (only in sports not available at WVSDb).

3.2.c. Member schools containing grades 6 and/or 7 and/or 8 may combine students from two or more schools within the county or regional area to form one interscholastic team in a sport. Requests for permission to combine students from two or more schools in the same private/parochial or public school system must be submitted annually to the WVSSAC in writing by the superintendent of the private/parochial or public school system. Schools which are combining to form one team must be feeder schools for the same high school, and at least one school must have sufficient numbers for a team. If more than two schools are involved, principals are to evaluate the number of available participants in each school and shall combine schools to provide as many teams as sufficient numbers allow. Sufficient numbers will be defined as the number of a starting line-up plus 50% (for odd number line-ups, round up).

3.2.d. Students enrolled in the 9th grade may participate only on high school teams. Sixth grade students of a K-6 elementary feeder school may participate on their middle school team if granted permission by the county board of education or governing body of a private/parochial school and the school principals involved. Members of a 9th grade team at a high school may be grouped for practice with members of the varsity team. However, if a 9th grade student participates in a varsity scrimmage or game, that student becomes ineligible for the 9th grade team. Participation is defined as dressing and being available to play in a game, regardless if the player enters the game.

3.2.e. Students at a middle feeder school who are not provided the opportunity to participate because of age may move up to their high school if granted permission by the county board of education or governing body of a private/parochial school and the school principals involved.

3.3. A student academically ineligible by rule may begin practicing 15 school days immediately prior to the date of regaining full eligibility provided all other eligibility requirements are met.

3.4. Students enrolled in the following grades in member schools will be eligible for middle school participation.

3.4.a. Grades 6, 7, and 8 may compete with and against schools/teams of the same configuration.

3.4.b. Stand-alone 9th grade programs at a high school may compete with and against schools/teams of the same grade configuration. An 8th grade student not provided the opportunity to participate at their member school because the sport is not offered may choose to participate on a stand-alone 9th grade team at their feeder high school, provided the student is otherwise eligible.

3.5. Sixth grade students are eligible to participate in all interscholastic sport teams, including football, in the middle/feeder elementary school in which they are enrolled.

3.6. Students who are enrolled in a grade below the 9th are not eligible for a high school team. Students enrolled in a grade below the 6th will not be eligible for a middle school team.

3.7. Twelfth grade students will be eligible for spring sports until the close of the school's season.

3.8. Schools may sponsor separate teams for members of each sex where selection for such teams is based upon competitive skill. If a school sponsors a team in a particular sport for members of one sex but sponsors no such team for members of the other sex, and athletic opportunities for members of that sex previously have been limited, members of the excluded sex must be allowed to try out for the team

offered. For example, because overall athletic opportunities for females have previously been limited, females will be allowed to try out for baseball, but males will not be allowed to try out for volleyball or softball.

3.9. Students enrolled at West Virginia School for the Deaf will be allowed to participate in sports at the West Virginia School for the Blind. Students from the West Virginia School for the Blind will be allowed to participate in sports at the West Virginia School for the Deaf.

3.10. Boarding students at member schools, with the exception of students at the WVSDDB, are not eligible. (Definition: A boarding student is one who receives room and board that is provided by the school unless such residence is based on Court Order or State Action.)

3.11. A homeschooled student receiving home instruction pursuant to W.Va. Code §18-8-1(c) shall be considered eligible for participating in interscholastic athletic events and other extracurricular activities of the public secondary school serving the attendance zone in which the student lives or as allowed by §127-2-7.2.f and §127-2-7.2.h who:

3.11.a. has been homeschooled for at least one year immediately preceding interscholastic athletic participation;

3.11.b. has demonstrated satisfactory evidence of academic progress for the immediately preceding academic year (see §127CSR3, Provisions Governing Contests, Glossary, for the definition of academic year);

3.11.c. is enrolled in at least one virtual instructional course per semester, consistent with the applicable virtual instruction policy of the county board in which the homeschooled student lives and the applicable virtual instruction policy of the West Virginia Board of Education (WVBE); and

3.11.d. is otherwise eligible to participate as a result of being subject to all other eligibility rules applicable to non-homeschooled students.

§127-2-4. Age.

4.1. A student in high school who becomes 19 before July 1 and a student in middle school who becomes 16 before July 1 shall be ineligible for interscholastic competition.

4.2. A student in grade 8 or below who becomes 15 before July 1 shall be ineligible for interscholastic competition at that level.

4.3. A student in grade 8 or below who becomes 15 on or after July 1 shall remain eligible for the entire academic year at that level.

§127-2-5. Semester and Season.

5.1. A student may have the privilege to participate in the interscholastic program for four consecutive years (eight consecutive semesters or equivalent) after entering the 9th grade.

5.2. A student may have the privilege to participate in the interscholastic program for three

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consecutive years (or six consecutive semesters or equivalent) after entering the 6th grade.

5.3. Ten days of attendance or enrollment shall constitute a semester of eligibility. Ten days includes the day of enrollment, the last day of attendance, and the elapsed time between, provided that they are days when school was actually in session.

5.4. The number of semesters of athletic eligibility of a student is determined by semesters of enrollment and attendance and not by semesters of participation. (This applies for students in grades 9-12 only.)

5.5. A student whose eligibility expires with the end of a semester shall not become ineligible until report cards are issued or five school days into the next semester, whichever occurs first. The student will be considered eligible any days between the two semesters.

5.6. Any part of a contest or interscholastic event in which a student competes shall be counted as a season for that sport in grades 6-12 and a semester of participation in grades 9-12.

5.7. The Board of Directors is authorized to grant a waiver to the Semester and Season Rule when it feels the rule fails to accomplish the purpose for which it is intended and when the rule causes extreme and undue hardship upon the student. Waivers may be granted in the following circumstances:

5.7.a. The Board of Directors is authorized to consider cases in which a student entering 9th grade did not stay in continuous enrollment because of personal illness, or no school was available, or because of other undue hardship reasons ascertained through investigation.

5.7.b. The Board of Directors may provide release from the continuous enrollment restriction provided no participation has occurred during the semester(s) in question.

5.7.c. In no event may a student be allowed to participate for more than four seasons in any one sport in grades 9-12.

5.8. The Board of Directors may also assess appropriate penalties to the student or to the school if the Board of Directors determines through its investigation that the student or the school tried to evade the rule by subterfuge.

§127-2-6. Scholarship.

6.1. A student is required to be enrolled in the equivalent of four content area courses toward graduation.

6.1.a. If a student is taking a multiple period course, such as block or vocational courses for a full morning or afternoon, it may be counted as more than one course.

6.1.b. If a student has been declared ineligible according to the standards outlined above, the student may attend summer school and have eligibility reinstated if the student meets the standards at the conclusion of summer school.

6.1.c. If a student has been declared ineligible according to the standards outlined above, the

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student may have eligibility reinstated at midpoint of the course if the student is meeting the standards at that time.

6.2. A student not attempting four full credit subjects during a semester must complete nine weeks of school work to regain consideration for eligibility.

6.3. Any student who withdraws from school and does not re-enroll within ten school days of that withdrawal date will lose eligibility for the remainder of that semester.

6.4. Credit 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 are delayed due to illness verified by a physician or as established by local board of education policy.

6.5. The official school transcript will be used to determine a student's eligibility and will be regarded as final.

6.6. In accordance with W. Va. §126CSR26, Policy 2436.10, Participation in Extracurricular Activities (C Rule) (Policy 2436.10), students must maintain a 2.0 grade point average to participate in interscholastic athletics.

§127-2-7. Residence-Transfer.

7.1. Part A - Residence - This residence rule applies to all students enrolled in grades 6-12 in all member schools.

7.1.a. A student shall be eligible in the school located in the attendance zone in which the student's parents reside. Public secondary school attendance zones shall be established by official action by each county board of education. The attendance zones of a private/parochial member school shall be identical with the attendance zone of the public school in which the private/parochial member school is located. In the event of overlapping attendance zones, a student shall be eligible at the school in which the student first chooses to enroll upon entering the 9th grade.

7.1.b. When a town or city is located in two counties and only one public secondary school is located in the town or city, students living in the town or city may attend this secondary school if mutually agreed upon by the two county boards of education and approved by the Board of Directors. A student shall be eligible at the school in which the student first chooses to enroll upon entering 9th grade.

7.1.c. A student who is in the care of the West Virginia Department of Health and Human Resources (WVDHHR) shall be eligible to participate in interscholastic athletics as a member of the athletic teams of the secondary school in the zone in which the WVDHHR places the student in a home, provided the student is otherwise eligible.

7.1.d. A student entering a school as an "unaccompanied youth" under the conditions of the federal McKinney-Vento Act may be granted eligibility for interscholastic competition by the Board of Directors in accordance with §127-2-1.

7.1.e. A student may be eligible outside the specified zone of attendance if the student has been in attendance in that zone the immediate preceding year (365 days). There can be no change of residence

involving change of attendance zone during the immediate preceding year (365 days).

7.1.f. A student whose parents have resided in the school zone for a minimum of one academic year, during which the student has been in attendance for a minimum of one academic year, and whose parents make a bona fide change of residence to a new school zone during the academic year may:

7.1.f.1. Retain eligibility as long as the student retains continuous enrollment and attendance, or;

7.1.f.2. Transfer at time of change of residence to the school in the attendance zone in which the parents are now residing and be eligible in that school, or;

7.1.f.3. Transfer at any time prior to the start of the next academic year to the school in the attendance zone in which the student's parents are residing and be eligible for interscholastic activities at the receiving school.

7.1.f.4. However, a student who has started participation in a sport, which would include practice or contest, that they were participating in at a WVSSAC member school, may not participate in that sport for that sport season at the WVSSAC member school to which they transferred, so long as that transfer was within one contiguous county of their former member school.

7.1.g. A student whose parents have resided in the school zone for less than one academic year, during which the student has been in attendance for less than one academic year, and whose parents make a bona fide change of residence to a new school zone during the school term may:

7.1.g.1. Retain eligibility for the balance of the academic year, provided the student retains continuous enrollment and attendance; or

7.1.g.2. Transfer at time of change of residence to the school in the attendance zone in which the parents are now residing and be eligible in that school; or

7.1.g.3. If a student chooses to remain enrolled at the school outside the attendance zone in which the student's parents reside at the conclusion of the academic year the student will be ineligible for the next academic year.

7.1.h. Foreign exchange students, attending a member school under the auspices of a Council on Standards for International Educational Travel (CSIET) student exchange program, shall be considered eligible regarding residence for a maximum period of one calendar year. A foreign exchange student may not be a graduate of the secondary school of the home country and must maintain eligibility in a member school. A foreign exchange program must assign students to schools by a method which ensures that no student, school, or other interested party may influence the assignment for athletic purposes.

7.1.i. A student returning from an approved foreign exchange program may resume interscholastic competition in the member school in which the student was enrolled at the point of interruption, provided the student does not fulfill graduation requirements while participating in the exchange program and provided the student meets all requirements relative to age and semesters of eligibility.

7.1.j. Any international student enrolling in a member school who does not meet the criteria of §127-2-7.1.h shall only be eligible to participate at the junior varsity level in any sport for the duration of the time the student is enrolled.

7.2. Part B - Transfer.

7.2.a. If a student transfers during the academic year from one secondary school to another secondary school, the student shall be ineligible for 365 days from date of enrollment, absent a bona fide change of residence. Students who are ineligible under this rule may practice during the period of ineligibility, given they meet all other factors of eligibility outlined in Policy 2436.10, §3. Eligibility. Determination of a bona fide change of residence depends upon the facts of each case and is defined as, but not limited to:

7.2.a.1. The original residence must be abandoned as a residence; in that the original residence is sold, rented, or disposed of as a residence, and must not be used as a residence by the immediate family;

7.2.a.2. The change is being made with the intent that the move is permanent;

7.2.a.3. The entire family must make the change;

7.2.a.4. Documentation of connection of utilities to the residence (e.g., power, water, waste, sewer);

7.2.a.5. Change of voter's registration, driver's license, mailing address, etc.;

7.2.a.6. If a student returns to a previously abandoned residence, the student shall be ineligible for 365 days from the date of enrollment.

7.2.b. If the transfer is from a private/parochial school to a member school in the zone where the student's parents reside, a student is eligible providing: (1) the student is enrolling in a member school for the first time, and (2) the principals of both private/parochial and member schools involved concur that undue influence is not involved with the transfer.

7.2.c. A student may be transferred from one attendance zone to another zone within the same county by a county board of education and maintain eligibility. The transfer must be initiated by county board of education personnel to fulfill certain special education program(s) not available in the attendance zone from which the student is transferred. Upon the completion of the special program, the student must return to the attendance zone of the student's residence.

7.2.d. For the purpose of athletic eligibility, the Commission does not recognize emancipated minor status as it relates to transfer.

7.2.e. Notwithstanding any other provisions of WVSSAC rules and regulations, if a student transfers for athletic reasons, the student will be ineligible for 365 days from the date of enrollment. A transfer for athletic reasons depends upon the facts of each case and is defined as, but not limited to:

7.2.e.1. Seeking a superior athletic team;

7.2.e.2. Seeking a team consistent with the student's ability;

7.2.e.3. Seeking relief from conflict with the philosophy or action of an administrator, teacher, or coach relating to athletics;

7.2.e.4. Seeking a means to nullify punitive action by the previous school.

7.2.f. If a student enrolls who has been released and accepted by formal actions of county boards of education or similar governing bodies of a private/parochial school which have verified that such transfer is not for athletic purposes, the student will be granted immediate eligibility provided all other rules are met. The enrollment transfer must occur at the beginning of the 9th grade academic year with the student enrolled on or before the eleventh instructional day of the beginning of the academic year and provided that the student is residing with the parents. With respect to a student whose parents reside in an attendance zone containing more than one member school, at the time of enrollment in an out-of-district school at the beginning of the student's 9th grade academic year, the student must identify a "home" school. In the event the student later elects to utilize "transfer back" (§127-2-7.2.g), the student is only eligible to transfer back to the identified "home" school. Once a student has been a member of a team that has participated in a scrimmage or contest, the student has established eligibility at that school.

7.2.g. Transfer Back. During the 9th, 10th, 11th, and 12th grades, a student shall be entitled to one transfer back from a school located outside the attendance zone where the student's parents reside into the member school located within the attendance zone where the student's parents reside. This school must be the home school identified in the initial enrollment in the out of district school. Any student transferring under the provisions of this rule will not become eligible until the completion of the academic year in which the transfer occurs. Eligibility will begin with the succeeding fall sports season, or immediately if the transfer back is completed on or before the eleventh instructional day of the beginning of the academic year. Once a student has been a member of a team that has participated in a scrimmage or contest, the student has established eligibility at that school.

7.2.h. If a member middle school student is released and accepted by formal actions of county board of education or governing body of a private/parochial school which have verified that such transfer is not for athletic purposes, the student will be granted immediate eligibility provided all other rules are met. The transfer must occur at the beginning of the academic year with the student enrolled on or before the eleventh instructional day of the beginning of the academic year and provided that the student is residing with the parents. Once a student has been a member of a team that has participated in a scrimmage or contest, the student has established eligibility at that school.

7.2.i. The eligibility of a student whose parents are divorced or legally separated is determined by court decree establishing residency with one parent.

7.2.j. After establishing initial residency with one parent, all subsequent transfers will require a period of ineligibility for 365 days from date of enrollment unless a change of residency is decreed by the court.

7.2.k. Any homeschooled student participating in interscholastic athletics pursuant to W. Va. Code §18-2-25(d) who leaves a member school during the school year is subject to the same rules/protocols that apply to non-homeschooled student transfers.

§127-2-8. Adoption/Guardianship.

8.1. A student shall be eligible to participate in interscholastic athletics and activities only if: (1) residing with one or both of the parents; (2) residing with a testamentary guardian following the death of the parents; or (3) residing in a location where the student was placed by the WVDHHR pursuant to §127-2-7.1.c.

8.2. The residence of a testamentary guardian shall constitute the residence of the ward when, and only when: (1) the testamentary guardian has been duly appointed by the last will and testament of the student's last surviving parent; (2) the testamentary guardian has duly qualified as such before the proper tribunal in West Virginia; and (3) the student is actually residing in the household of the testamentary guardian at the time of the student's sport participation.

8.3. Notwithstanding any other provision of the WVSSAC rules and regulations, any student residing with a guardian/custodian other than a testamentary guardian may not compete for a school in any sport on the varsity level but may compete at the junior varsity level. If a student elects to participate at the junior varsity level pursuant to this rule, the student may not participate at the varsity level even after being enrolled at the school for 365 days. However, if a student elects to participate at the junior varsity level pursuant to this rule, and then commences to reside with a custodial parent, the student may participate at the varsity level notwithstanding the fact that the student had previously participated at the junior varsity level pursuant to this rule.

8.4. Notwithstanding any other provisions of WVSSAC rules and regulations, legal guardian/custodian may not be changed for athletic reasons. A transfer for athletic reasons is defined in §127-2-7.2.e.1-4.

§127-2-9. Undue Influence - Recruiting.

9.1. The use of influence by a person or group, connected or not connected with the school, to secure or retain a student for athletic participation is not permitted and may cause the student to be ineligible and may cause certain sanctions to be placed against the member school.

9.2. An employee of the school system shall not initiate any communication regarding athletic participation or enrollment with a student, parent of a student, guardian, or family member, in person or through a third party, prior to enrollment. This does not include the introduction of athletic programs to students at feeder schools.

9.3. A student, parent of a student, or guardian shall not be offered for the purpose of encouraging enrollment in a school or participation in an athletic program any inducement, such as free tuition, jobs, supplies, uniforms, other than that which is provided for all students.

§127-2-10. Non-school Participation.

10.1. During a WVSSAC established sport season and while a member of a school team, a student shall neither participate, which includes, but is not limited to, fund-raising activities, team picture, tryouts, etc., on any formally organized non-school team in the same sport, nor shall the student compete as an individual unattached in non-school formally organized competition in the same sport. The following sports are exempted from the provisions of this rule: cross country, golf, swimming, tennis, track, and

wrestling, provided that:

10.1.a. participation is approved by the student's principal; and

10.1.b. the student misses no school-sponsored athletic contest involving a team in that sport.

10.2. A student may participate as a member of a national team (and the actual, direct tryouts thereof) which is defined as:

10.2.a. one selected by the national governing body of the sport;

10.2.b. while representing the National Federation in an International Schoolsport Federation;

10.2.c. as a representative of the United States in recognized national or international events;

10.2.d. a qualifier for the West Virginia Golf Association's Amateur Championship or the United States Golf Association's United States Amateur Championship; or

10.2.e. the USA Swimming Junior National Championship.

10.3. A student who has participated on a non-school team or as an individual unattached in non-school formally organized competition after the WVSSAC established start date of the sport season will be ineligible for participation on that school team for that season in that particular sport except as provided by §127-2-10.1 and §127-2-10.2.

§127-2-11. Amateur.

11.1. A student who represents a school in an interscholastic sport shall be an amateur in that sport. An amateur athlete is one who engages in athletic competition solely for the physical, mental, social, and pleasure benefits derived therefrom. An athlete forfeits amateur status in a sport by:

11.1.a. competing for money or other monetary compensation (allowable travel, meals, and lodging expenses may be accepted);

11.1.b. receiving any award or prize of monetary value which has not been approved by the WVSSAC;

11.1.c. capitalizing on athletic fame by receiving money or gifts of monetary value (scholarships to institutions of higher learning are specifically exempted);

11.1.d. signing a professional playing contract in that sport.

11.2. Accepting a nominal, standard fee or salary for instructing, supervising, or officiating in organized youth sports program or recreation, playground, or camp activities shall not jeopardize amateur status. "Organized youth sports program" includes both school and non-school programs. Compensation for giving private lessons is permissible if approved by the WVSSAC.

11.3. A student who loses amateur status may apply to the WVSSAC for reinstatement in the

interscholastic program after a waiting period of one complete high school season (starting practice date through state tournament or end of season) for that sport.

11.4. A senior student may participate in a professional tryout either during or after the season of that sport provided that:

11.4.a. it does not occur on the day of a school contest of that sport; and

11.4.b. it meets with the principal's approval.

§127-2-12. Participation as an Ineligible.

12.1. Any student who participates in an interscholastic athletic contest as an ineligible, either knowingly or inadvertently, shall be ineligible for a period not to exceed 365 days as determined by the WVSSAC Executive Director.

§127-2-13. Practice.

13.1. Only students enrolled and eligible to be listed on the eligibility certificate for that sport in the specific member school are allowed to participate in that school's practices. Exceptions are §§127-2-3.2, 127-2-3.5, and 127-2-13.6.

13.2. The frequency and length of practice is at the discretion of each member school.

13.3. Member schools of the WVSSAC may practice on any day of the year with the exception of Sunday practice. §127-3-14.2 further clarifies Sunday practice.

13.4. Individual players of a team must have practiced:

13.4.a. on five separate days before participating in an interscholastic scrimmage.

13.4.b. on 12 separate days, exclusive of the day of a contest, before participating in an interscholastic contest. The following sport(s) is exempted from the provisions of this rule: golf.

13.4.c. a student athlete who is absent from practice with their team for non-medical reasons, and not under a doctor care, for more than 14 consecutive days must have the required 12 separate practice days before resuming participation in a contest. Students participating in football must follow the practice progression as set forth in §127-3-23.

13.5. A student shall not be permitted to engage in interscholastic practice until that student has filed with the principal a completed Athletic Participation/Parental Consent/Physician's Certificate Form. §127-3-3 further explains this required form.

13.6. A student academically ineligible may begin practicing 15 school days immediately prior to the date of regaining full eligibility. (All other ineligible students may not practice.)

13.7. If a student has established eligibility in a sport requiring 12 separate days of practice and is continuing to participate in that sport or no school days have lapsed from one sport to another sport in a

same season, the student may participate in another sport of the season after completing five separate days of sport specific practice in the second sport.

13.8. Students participating in a sport(s) in one season must have practiced 12 separate days, exclusive of the day of a contest, to be eligible to participate in a sport in the next season with the following exception: the student has continued to practice or participate in tournament play without an interruption of school days. The student must complete five separate days of sport specific practice in the second sport.

§127-2-14. Concussion.

14.1. Pursuant to W. Va. Code §18-2-25a, member schools are to provide information in the format approved by the Board of Directors to appropriate school administrators, coaches, interscholastic athletes, and their parents or guardians describing the nature and risk of concussion and head injury, including the risks of continuing to play or practice after a concussion or head injury. Annually, all interscholastic athletes and their parents are required to sign and return a statement that they have read the information provided to them prior to the interscholastic athlete beginning practice or competition for that scholastic year. (See, WVSSAC, Sports Medicine tab, Sports Medicine Packet: Athletic Participation/Parental Consent/Physician's Certificate Form (Physical Exam Form), A Parent's Guide to Concussions (Information to parents), available on the WVSSAC website at <http://www.wvssac.org>.)

14.2. Each head coach of member schools is required annually to complete a concussion and head injury recognition and return-to-play protocol course approved by the WVSSAC. (See, WVSSAC, Sports Medicine tab, Sports Medicine Packet: Coach's Course, available on the WVSSAC website at <http://www.wvssac.org>.)

14.3. An interscholastic athlete suspected of a concussion or head injury by a licensed health care professional or by the head coach or athletic trainer shall be removed from play or practice and not return-to-play or practice until the athlete is evaluated by a licensed health care professional trained in the evaluation and management of concussions and receives written clearance to return-to-play and practice from the licensed health care professional. (See, WVSSAC, Sports Medicine tab, Sports Medicine Packet: available on the WVSSAC website at <http://www.wvssac.org>.)

14.4. Any of the following who have appropriate training in the evaluation and management of head injuries shall be considered as the licensed health care professional enumerated in this rule:

- 14.4.a. Medical Doctor (MD);
- 14.4.b. Doctor of Osteopathy (DO);
- 14.4.c. Doctor of Chiropractic (DC);
- 14.4.d. Advanced Registered Nurse Practitioner (ARNP);
- 14.4.e. Physician Assistant (PA-C); or
- 14.4.f. Registered Certified Athletic Trainer (ATC/R).

14.5. Member schools must submit Part I of the concussion report form to the WVSSAC within seven days and Part II within 30 days of an interscholastic athlete suffering or being suspected of suffering a concussion or head injury in a practice or game. (See, WVSSAC, Sports Medicine tab, Sports Medicine Packet, available on the WVSSAC website at <http://www.wvssac.org>.)

14.6. The WVBE shall be notified if any of the documents referred to in this section of the rule are revised, amended, or altered as to form or content. The documents shall include but not be limited to: Athletic Participation/Parental Consent/Physician's Certificate Form (Physical Exam Form); A Parent's Guide to Concussions (Information to Parents), Coach's Course, Return to Play Protocol, Concussion Report form. All forms are found in the WVSSAC Sports Medicine Packet and are available under the Sports Medicine tab, Sports Medicine Packet on the WVSSAC website at <http://www.wvssac.org>.)

§127-2-15. Emergency Action Plan (EAP).

15.1. Effective December 31, 2017, each member school shall adopt and submit to the WVSSAC and to the county board of education an EAP for athletics, designed to respond to athletic injuries that occur on school property during school-sponsored athletic practices and events.

15.2. Each EAP shall include:

15.2.a. Implementation of the EAP for every sport at every level. The EAP shall discuss how it is to be implemented with the participation of the school's principal and athletic director (if any), coaches, and athletes.

15.2.b. Training. The EAP shall include any necessary training for any person designated as responsible for any portion of the implementation of the EAP. Training may be in person or online, as may be available to the school.

15.2.c. Protocol for summoning emergency medical assistance. The EAP shall discuss how the school's sports teams will assign responsibility for summoning emergency medical assistance in the case of an emergency during a practice or event.

15.2.d. Protocol for beginning Cardiopulmonary Resuscitation (CPR). The EAP shall discuss how the school's sports teams will assign responsibility for beginning CPR in the event it is necessary. Each sports team must have individuals trained in CPR. The school shall provide proper training to any individual assigned responsibility for performing CPR.

15.2.e. Protocol for the use of Automated External Defibrillator (AED). Each member school will have an accessible AED on the school or event grounds during the duration of all athletic events and practices. The EAP must address how the school's sports teams will assign responsibility for retrieving and using an AED in the event it is necessary. Each sports team must be instructed on the location of the nearest AED to any practice or event facility. The school shall provide proper training to any individual assigned responsibility for using an AED.

15.2.f. Protocol for the treatment of heat stroke. The EAP must address how the school's sports teams will prepare for and treat heat stroke. Each sports team that practices outdoors is recommended to have available an emersion tub, and must have water, ice, and towels, to be used for the treatment of heat stroke. The EAP must address how the school's sports teams will assign responsibility for obtaining

these items and preparing them before a practice or game begins.

15.2.g. Written records. The EAP shall require that each of the school's sports teams assign responsibility for the items discussed above at the beginning of each season, and record those assignments on a written record, which record shall be retained by the sports team and the school.

15.2.h. Symptoms and risk factors for sudden cardiac arrest. The EAP shall require that schools train athletes, coaches, and volunteers about the symptoms and risk factors for sudden cardiac arrest.

15.2.i. Coordination with local Emergency Medical Systems. The EAP shall require that schools coordinate with their local Emergency Medical Services (EMS) personnel, notifying EMS personnel of the availability of AEDs at the school, and notifying EMS personnel of the EAP adopted by the school.

15.2.j. Follow up retraining. The EAP shall require that school sports teams that respond to an emergency incident meet to discuss their response after the incident has passed. Discussion shall center on the team's response to the incident, areas for improvement, and retraining that may be necessary, and any counseling that may be required for the individuals involved.

15.3. Schools may, but are not required to adopt the Anyone Can Save a Life Program (available at www.anyonecansavealife.org), which meets all of the requirements of this rule, to be implemented as that schools EAP in compliance with this rule.

15.4. Each EAP adopted pursuant to this rule shall be provided to the county board of education and shall be retained by the county board of education until the EAP is superseded by a revised EAP.

**TITLE 126
LEGISLATIVE RULE
BOARD OF EDUCATION**

**SERIES 26
PARTICIPATION IN EXTRACURRICULAR ACTIVITIES (2436.10)**

§126-26-1. General.

1.1. Scope. -- This rule establishes academic eligibility of students to participate in extracurricular activities both during and after normal school hours in West Virginia public schools.

1.2. Authority. -- W. Va. Constitution, Article XII, §2, and W. Va. Code §§18-2-5, 18-2-25, 18-8-1, and 18-8-1a.

1.3. Filing Date. -- July 14, 2022.

1.4. Effective Date. -- August 15, 2022.

1.5. Repeal of Former Rule. -- This rule amends W. Va. 126CSR26, Policy 2436.10, Participation in Extracurricular Activities, filed November 12, 2020, and effective December 14, 2020.

§126-26-2. Purpose.

2.1. This policy promotes expectations of academic performance for students engaged in extracurricular activities. While students bear the responsibility to meet these expectations, school administrators are required to enforce eligibility rules to create a school environment primarily focused on academic performance.

§126-26-3. Applicability.

3.1. This policy applies only to interscholastic athletics, student government, and class officers in grades 6-12. Excluded from this policy are co-curricular activities which are closely related to identifiable academic programs/areas of study and which serve to complement academic curricular activities such as career and technical education, linguistic, mathematic, scientific, forensic, theatrical, musical, journalistic, and other similar academic cocurricular activities.

§126-26-4. Eligibility.

4.1. In order to participate in the extracurricular activities to which this policy applies, a student must meet the following:

4.1.a. adhere to all state and local attendance policies.

4.1.b. maintain a 2.0 average.

4.1.b.1. A 2.0 average is defined as a grade-point average (GPA) of 2.0 or better on a scale

where an A is given the value of 4 points, a B is given the value of 3 points, a C is given the value of 2 points, a D is given the value of 1 point, and an F is given the value of 0 points.

4.1.b.2. For purposes of achieving the clearest and most uniform application of the policy for those schools which use a numerical grading system, all numerical grades shall be converted to the corresponding letter grade. Each letter grade shall be assigned the appropriate value as set forth above, and the average thereof computed to determine whether the student is eligible. No enhanced value should be given for a plus or minus designation, such as B+ or C-; all grades with the same letter designation have the same numerical value in the 4.0 scale.

4.1.b.3. In computing a student's GPA for purposes of this policy, all subjects undertaken by the student and for which a final grade is recorded are to be considered. Athletic practice may not be counted as a subject. The total number of classes taken is divided into the total number of grade points earned to determine the GPA. Classes for which a pass/failure is awarded will be included in computing the GPA only if the student failed the class.

4.1.b.4. A student's eligibility will be determined for each semester by the student's GPA from the previous semester (or, in schools which do not use the traditional semester approach, during the previous 18-week period).

4.1.b.5. If a student does not maintain a 2.0 average for the semester, the student will be ineligible for participation for the following semester. Students not meeting eligibility requirements shall be reviewed at the mid-point of the second semester (the nine-week point) to determine whether the student has achieved a 2.0 average.

4.1.b.6. If a student does not earn a 2.0 average by the end of the second semester, the student may attend summer school to raise the GPA to become eligible for participation at the beginning of the next school year. For purposes of computing the GPA after summer school, all of the student's grades from the second semester plus the student's grade from the summer school will be used to determine the GPA.

4.1.b.7. A student who has not achieved a 2.0 GPA for the previous semester may have eligibility reinstated at midsemester if the student has attained at least a 2.0 GPA. In schools and/or counties where the traditional semester approach is not used, the nine-week point shall be utilized in place of the midsemester.

4.1.b.8. In the case of students with exceptionalities as set forth in W. Va. 126CSR16, Policy 2419, Regulations for the Education of Students with Exceptionalities, if grades are given, all grades received from placements in regular classrooms and special education classrooms should be included when computing the GPA. Exceptional students placed in ungraded programs will be eligible for participation in extracurricular activities if their records indicate that they are making satisfactory progress in meeting the objectives of their individualized education program (IEP).

4.1.b.9. Students who have had a break in public school attendance for any reason may be required to establish eligibility after re-enrollment in the public school. The credits/grades earned and transferred from the non-public setting shall be used in determining academic eligibility. Eligibility shall be gained at midsemester (nine-week point) if the student has attained at least a 2.0 GPA. In schools and/or counties where the traditional semester approach is not used, the nine-week point shall be utilized

in place of the midsemester.

4.1.b.10. Students who are entering public schools or other West Virginia Secondary Schools Activities Commission (WVSSAC) member schools for the first time will be eligible for participation as follows:

4.1.b.10.A. Students who have not earned grades that the receiving school will accept for credit upon transfer will be eligible upon enrollment and must have a 2.0 GPA at the end of the semester in which they enroll to remain eligible.

4.1.b.10.B. Students who have earned grades that the receiving school will accept for credit upon transfer must have earned a 2.0 GPA in the previous semester to be eligible upon enrollment. If not eligible upon enrollment, the student shall become eligible at the midsemester (nine-week point) if the student has attained at least a 2.0 GPA.

4.1.b.11. Homeschooled students participating in interscholastic athletics pursuant to W. Va. Code §18-2-25(d) will be eligible for participation, provided that the student:

4.1.b.11.A. complies with the rules promulgated by the WVSSAC;

4.1.b.11.B. has demonstrated satisfactory evidence of academic progress for the immediately preceding year and that the student's average test results for the immediately preceding year are within or above the fourth stanine in all subject areas; and

4.1.b.11.C. is enrolled in at least one virtual instructional course per semester, consistent with the applicable virtual instruction policies of the county in which the homeschooled student lives and the applicable virtual instruction policies of the WVBE. A homeschooled student who fails to receive a C grade or higher at the conclusion of the virtual instruction course or semester, whichever is earliest, shall be ineligible to continue participation and remain ineligible for the following semester.

§126-26-5. Severability.

5.1. If any provision of this policy or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this policy.

**TITLE 127
LEGISLATIVE RULE
WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION**

**SERIES 3
PROVISIONS GOVERNING CONTESTS**

§127-3-1. General.

1.1. Scope. -- These rules govern the conduct of athletic contests.

1.2. Authority. -- W. Va. Constitution, Article XII, §2, and W. Va. Code §§18-2-5, 18-2-25, 18-2-25a, and 18-2-25b.

1.3. Filing Date. -- July 14, 2022.

1.4. Effective Date. -- September 12, 2022.

1.5. Repeal of Former Rule. -- This legislative rule amends W. Va. 127CSR3, West Virginia Secondary School Activities Commission Series 3, Provisions Governing Contests, filed July 14, 2021, and effective September 13, 2021.

§127-3-2. Duties and Responsibilities of the Principal.

2.1. The principal of each member school is recognized as the school representative and as such is accountable to the West Virginia Secondary School Activities Commission (WVSSAC/Commission) for conduct of the athletic programs of that school.

2.2. The principal or designee shall notify coaches and faculty (§127-3-6) of the rules and regulations of this Commission. It shall be that individual's responsibility to notify those students participating in WVSSAC activities. Failure of the principal in performing this responsibility will not prevent the Commission from enforcing its rules and regulations.

2.3. The principal shall have the authority to delegate responsibilities or duties; however, such delegation shall not relieve the principal of responsibility for any infraction of the rules and regulations of this Commission by coaches and faculty.

2.4. The principal has the authority to designate a member of the faculty who must supervise all interscholastic activities.

2.5. The principal is responsible for adequate team and crowd control measures at home contests in which the school participates, assuring that the school's participants and fans conduct themselves in a proper manner, and assuring that all fans and officials are provided adequate protection. In situations where contests are played on neutral sites, the responsibilities will be shared by participating school principals.

2.6. The principal has the right to exclude a contestant who would not represent the school in an

appropriate manner, a student who fails to maintain a satisfactory scholastic standing, or a student who has been excluded for a serious illness or injury.

2.7. The principal will be responsible for signing all game contracts, seeking sanctioning of necessary events, and signing all certificates of eligibility prior to student participation.

2.8. The principal may designate the assistant principal or other faculty member to provide representation and/or to participate in all voting matters at a Board of Control meeting which is further explained in the Constitution.

2.9. The principal shall have such other powers as will encourage the growth, development and expansion of the athletic program for the welfare of the students, the school, and the WVSSAC.

2.10. The principal, assistant principal, and athletic director of each member school shall be admitted to any WVSSAC sanctioned event. Vocational principals and assistant principals shall also be admitted. This admittance will be by presentation of the WVSSAC Courtesy Card and a photo identification.

2.11. The principal and assistant principal of each member school, who upon retirement is a member in good standing with the WVSSAC, shall receive a WVSSAC permanent Courtesy and Identification Card. This card shall allow admittance to any WVSSAC sponsored event. This admittance will be by presentation of the WVSSAC Courtesy Card and photo identification. Spouses of deceased principals and assistant principals shall have a WVSSAC permanent Courtesy and Identification Card with the same admittance stipulations transferred to them upon request to the WVSSAC.

2.12. WVSSAC Courtesy and Identification Cards shall be honored at all events involving WVSSAC member schools with the exception of state tournaments.

§127-3-3. Physical Examination -- Parental Permission.

3.1. The Athletic Participation/Parental Consent/Physician's Certificate Form allows for annual updates rather than a complete physical examination.

3.2. A student shall not be permitted to engage in interscholastic practice or participate in an interscholastic contest until that student has filed with the principal a completed Athletic Participation/Parental Consent/Physician's Certificate Form. This form must be signed by all parties: student, parent(s), physician. Consent and approval for sport(s) in which a student is requesting participation must be approved by both parent and physician.

3.3. A physical examination form must be completed no earlier than May 1 for an upcoming year. The physical is valid until completion of the last WVSSAC state tournament during the next academic year.

§127-3-4. All-Star Participation.

4.1. Only a graduating senior, or any student completing athletic eligibility at the end of the current academic year because of age or completion of semesters of eligibility, may play in two All-Star games upon conclusion of each season without loss of athletic eligibility for the balance of that year.

§127-3-5. Awards.

5.1. Only a member school or a school sponsoring a sanctioned event may give the following awards to a student or team: medal, trophy, cup, certificate, ribbon, plaque, unattached letter, unattached chevron, or any similar award.

5.2. A student may accept on an individual or team basis the above specified awards in the following situations:

5.2.a. from a member school for participation;

5.2.b. in a sanctioned event;

5.2.c. in a non-sanctioned event, at any time in the following sports: cheerleading, cross country, golf, swimming, tennis, track, or wrestling;

5.2.d. in a non-sanctioned event, but not during the school sports season for the following sports: football, basketball, volleyball, baseball, lacrosse, softball, or soccer.

5.3. A student may not receive the following awards with a retail value that exceeds \$100.00:

5.3.a. Apparel - sweaters, jackets, jerseys, shoes, etc.

5.3.b. Equipment - radio, televisions, etc.

5.3.c. Athletic goods - batons, tennis rackets, bats, golf bag, tennis or golf balls, etc.

5.3.d. Money (scholarships to institutions of higher learning are exempted.)

5.4. Purchase of an item as identified in §127-3-5.3, whereby any portion is donated by a school, booster club, auxiliary agency, or any other group or organization, cannot exceed the specified limit.

5.5. Nothing in §127-3-5 shall be interpreted to affect the recognition of scholarship or scholastic achievements.

§127-3-6. Coaches.

6.1. A member of a school faculty, substitute teacher, or student teacher, with West Virginia Department of Education (WVDE) Authorized Certification, shall be allowed to coach an athletic team. A member of a private/parochial school faculty, substitute teacher, regardless of WVDE certification status, shall be allowed to coach an athletic team. An authorized certified individual may coach if they meet all of the requirements in §127-3-6.4.

6.2. A public school substitute teacher is defined as a person who has met the licensure requirements as specified by the West Virginia Board of Education (WVBE) and has been approved as a substitute teacher of that county board of education. Private/parochial school substitutes must meet requirements

of respective governing bodies.

6.3. A college student fulfilling teacher training responsibilities as a student teacher may be assigned certain coaching responsibilities during that period of training. This assignment will be administratively consistent with the student teacher's role in the classroom and shall be approved by the county board of education or the governing body of a private/parochial school. The student teacher will work directly under the supervision of the appointed coach or assistant coach.

6.4. An authorized certified coach must meet the following requirements:

6.4.a. The coach is employed under a contract with a county board of education which specifies a rate of pay equivalent to the rate for professional educators who accept similar duties as extra duty assignments and which provides for liability insurance associated with the activity;

6.4.b. The coach has successfully completed WVSSAC-approved training: Sport Science, Sport First Aid, and WV Component (14 hours of instruction and test) and has received WVDE Authorization;

6.4.c. Coaching authorizations are for one year.

6.5. The head coach shall be required to attend any sports rules clinic in the coaching assignment which is sponsored by this Commission. Schools failing to have a head coaching position filled at the time of the clinic will be required to have a school representative present at the rules clinic.

6.6. All coaches, athletic directors, and band directors of member schools who, upon retirement from a full time teaching, school service, or administrative position at a member school, have at least 20 years of service as a coach, athletic director, band director, or combination thereof shall receive a lifetime WVSSAC Courtesy and Identification Card. This card shall allow admittance to any WVSSAC sponsored event. This admittance will be by presentation of the WVSSAC Courtesy and Identification Card and photo identification. Spouses of deceased coaches, athletic directors, and band directors shall have a WVSSAC permanent Courtesy and Identification Card with the same admittance stipulations transferred to them upon request to the WVSSAC.

§127-3-7. Out-of-Season Coaching.

7.1. Philosophy -- A student should have the opportunity to engage voluntarily in school athletic activities provided that the student is eligible, that such activities do not interfere with the student's educational development and their activities do not conflict with the principles of wholesome amateur athletics. The WVSSAC discourages the exploitation of students by overzealous individuals and organizations who attempt to impose an obligation or pressure on the student. Athletic participation should be used for the pleasure and satisfaction that is derived from athletic competition in a variety of experiences.

7.2. School organized out-of-season practice or related activities shall be permitted with principal approval during three consecutive weeks established by each school and approved by each county board of education or by the governing body of a private/parochial school. These three consecutive weeks may begin on or after Monday of Week 49 and must conclude by Friday of Week 4 of the NFHS Standardized Calendar; provided, there will be no out-of-season practice or related activities during the week of July 4th

as determined by the NFHS Standardized Calendar (refer to handbook appendix). Participation must be open to all students, voluntary, and not required directly or indirectly for membership on a school team. Participation by students during these weeks does not meet §127-2-13.4.

7.2.a. With principal approval, each sport program may use twelve "flex-days" from Monday of Week 49 through Friday of Week 48 of the next academic year. A flex-day is a day, outside the regular season and outside the three week practice window, when a coach may have sport-specific contact with student athletes. Flex-days shall not be used during the first week of each high or middle school sport season. Use of any part of a day for an activity will count as a full day of activity.

7.3. A coach or principal designee of each sport or activity may be present as an observer, lecture participant, staff member, [or in any capacity at any summer camp] during weeks established in §127-3-7.2 and §127-3-7.2.a.

7.4. A coach or designee shall not work with individuals in any form of drills or practice of the grade level coaching assignment and preceding grade level except during those dates specified as the season for that specific sport or as designated in §§127-3-7.2, 127-3-7.2.a, and 127-3-7.3.

7.5. Coaches may participate in a formal development program of the United States Olympic Committee (USOC) involving students of the same sport as their coaching assignments. The formal development program must be under the official guidance of the USOC through the National Governing Body (NGB) of the sport. The NGB must assure in writing to the WVSSAC that coaches will receive formal orientation and that strict supervision and monitoring of coaches will ensure that no recruitment or inappropriate influence will be exerted on students.

7.6. Conditioning/Recreation Programs -- Throughout the academic year, students who are not participating in a school's athletic program may voluntarily participate in an off-season conditioning program. This program also may occur during the summer, subject to county board of education or governing body approval and the following provisions:

7.6.a. Participation in the program must be open to all students enrolled in the school providing the program.

7.6.b. Participation is voluntary and is not required directly or indirectly for membership on a school team.

7.6.c. Students will provide their own clothing (sweatsuit, shoes, etc.).

7.6.d. Activities will be limited to running, weight training, and stretching exercises. Agility drills that do not involve specific skills of a given sport are permitted.

7.6.e. Specific equipment pertaining to a given sport may not be used. This includes such items as footballs, basketballs, volleyballs, wrestling mats, discuses, etc.

7.6.f. In cases where schools schedule all students into the last period of the school day, the guidelines in §§127-3-7.6.c, 127-3-7.6.d, and 127-3-7.6.e shall apply unless the class is considered a part of the physical education program and credit is earned. There shall be no teaching of sport specific skills

in this case unless those same skills and course of study are taught in all physical education classes at this same time of the academic year.

7.6.g. The county board of education may choose to compensate the supervisor or director of conditioning/recreation programs.

7.7. Coaches may not promote, initiate, organize, supervise, or participate in out-of-season events involving students of the same sport as the grade level coaching assignment and preceding grade level except as specified in §§127-3-7.2, 127-3-7.2.a, and 127-3-7.3. The county board of education shall be authorized to approve a coach to organize and/or supervise a recreation program for students. However, this type assignment must be recreational in nature, include a variety of activities, and comprise no coaching or instruction of that same sport as the school coaching assignment. In addition to the above, gymnasiums or facilities opened for recreational activities must use the following requirements:

7.7.a. The gymnasium or field is open to all students for participation.

7.7.b. Various activities are available to students and are not limited to one sport or activity on a given day.

7.7.c. Supervisor or director must be approved by the county board of education or governing body.

7.7.d. There is no coaching or instruction in the skills and technique in any sport.

7.7.e. Comparable opportunities are provided both sexes.

7.7.f. Participation is voluntary and is not required directly or indirectly for membership on a school team.

7.8. The principal is responsible for adherence to these requirements.

§127-3-8. Forfeit and Restitution.

8.1. A written request for investigation of an eligibility issue in any sport may be filed by a member school principal with the WVSSAC Executive Director. Individual and/or team awards will not be affected if the request is filed more than 42 calendar days past the conclusion of the State Championship in that sport.

8.2. When a student is declared ineligible subsequent to competing as an individual, or a penalty has been imposed or action taken by the WVSSAC, the student's performance shall be stricken from the records and the points contributed to the team total deleted. The team standings will be adjusted accordingly, and any awards received shall be returned.

8.3. When a student is declared ineligible subsequent to representing the school in team competition or a penalty has been imposed by the WVSSAC, the contest(s) may be forfeited. The team standing in the final standing will be adjusted, and the team awards and the ineligible student's awards may be returned.

8.4. If a team, or student participating in an individual contest, leaves the playing area in protest and fails to complete the contest, the contest is forfeited and the school principal or designee and the violator may be required to appear before the WVSSAC Executive Director to indicate why additional action should not be taken.

8.5. If a coach is ejected from a contest and an assistant coach or assigned school representative is not available to continue as coach, the contest is terminated and forfeited to the opponent.

8.6. If a student is deemed ineligible under WVSSAC rules, but participates in interscholastic competition in accordance with the terms of a court order or injunction, and the order or injunction ultimately otherwise adjudicated so that injunctive relief is/was not warranted, any one of the following actions may be taken in the interest of fairness or restitution to the competing schools:

8.6.a. Require that individual or team performance records achieved during participation by such ineligible student shall be vacated or stricken; or

8.6.b. Require that team or individual victories be forfeited to opponent(s); or

8.6.c. Require that team or individual awards earned by such individual or team be returned to the Commission.

§127-3-9. Game Officials.

9.1. All officials utilized in interscholastic games and contests in West Virginia must be registered with the WVSSAC, except in the case of emergency, §127-3-9.4 may be invoked. A game officials' registration plan shall be established by the WVSSAC Board of Directors (Board of Directors).

9.2. Officials for interscholastic contests shall be agreed upon mutually by the competing schools at least two weeks before the scheduled date of contest. Coaches or other persons connected with competing schools shall not officiate at the contest unless all competing consent.

9.3. The host school initiates the selection of game officials. It is highly recommended that the host school contract officials for all interscholastic contests. Contractual agreements are between the school and the official.

9.4. The WVSSAC Executive Director shall be empowered to authorize the use of non-registered officials for athletic contests where registered officials are not available and scheduled athletic contests risk cancellation.

9.5. All officials registered with the WVSSAC are subject to and required to abide by the rules and regulations set forth in these rules and the "West Virginia Secondary School Activities Commission Officials' Handbook", which is revised and published yearly. WVSSAC registered officials are provided the same opportunity for appeal of any decisions as set forth in the rules.

9.6. The official shall:

9.6.a. Attend a state WVSSAC rules clinic in the sport for which the official is registered. Failure

to comply will result in suspension for that year.

9.6.b. Attend four local Officials' Board meetings. Failure to comply will result in suspension for that year.

9.6.c. Take Part I and Part II NFHS Rules Examinations in the sports where specified. Failure to take Part I will result in a five point deduction for the purpose of classification at the end of that sport season. Failure to take Part II Exam will result in suspension the following year.

9.6.d. Abstain from consuming intoxicating beverages on the day of the assigned contest prior to and during the contest, and after, in the vicinity of the playing area of the contest.

9.6.e. Abstain from the use of smokeless or any other forms of tobacco in the vicinity of the playing area of the contest.

9.6.f. Abstain from the use of illegal drugs.

9.6.g. Be fair, impartial, unbiased, professional, and competent in officiating.

9.6.h. Be in and maintain proper physical and mental condition as verified by the physical examination form submitted to the WVSSAC; dress and appearance must be appropriate.

9.6.i. Be at the site of the contest in adequate time to care for necessary pre-contest duties or as specified in the NFHS Rules.

9.6.j. Maintain self-control under all conditions.

9.6.k. Refrain from commenting upon or discussing a team, play, game situation, or fellow official.

9.6.l. Conduct the game so as to enlist the cooperation of students, coaches, and spectators in the interest of good sportsmanship.

9.6.m. Comply with any WVSSAC rule, regulation, Constitution, or directive, and particularly those regulations pertaining to filing Special Reports and Official Ratings of Schools.

9.6.n. Honor all existing officiating contracts with member schools unless a valid reason is presented and accepted by the involved school. Accepting a game involving a higher level of competition is not a valid reason to cancel a contract.

9.6.o. Comply with local board rules as set forth in board regulations.

9.7. The WVSSAC Executive Director shall have the power to penalize for violations of these rules. Any official penalized under these rules shall have the right to appeal to the Board of Directors. The WVSSAC Executive Director shall inform fully a penalized official of appeal rights.

§127-3-10. Classification.

10.1. Excluding boys and girls basketball, each member high school shall be classified as either AAA, AA, or A based on the enrollment figures in grades 9, 10, 11, and 12 at the end of the second school month of the odd numbered year preceding the classification.

10.2. Excluding boys and girls basketball, classification of member high schools shall be determined every four years on the even numbered years and will remain in effect for a four year period unless the school experiences a 20% change in enrollment using WVDE enrollment figures at the end of the second school month. Classification changes due to a 20% change in enrollment becomes effective next academic year.

10.3. A school may choose to compete in WVSSAC tournaments in any class above its classification providing proper notification is made to the WVSSAC prior to Friday of week 27 after classification has been approved by the Board of Directors. Approval of this option will be for a four year period and will be effective for individual sports sponsored by the school.

10.4. Excluding boys and girls basketball, the Board of Directors may structure the WVSSAC tournament series in each sport by classification (AAA-AA-A). Each sport will be structured according to the level of interest and accommodation for tournament alignment. The WVSSAC will conduct a survey of the membership prior to any change of structure of any given sport.

10.5. Excluding boys and girls basketball, if a consolidation of two or more member schools occurs during the classification period, the new member school will be reclassified based on the combined enrollment of 9, 10, 11, and 12 in the consolidating schools.

10.6. Each member high school shall be classified in boys and girls basketball as either AAAA, AAA, AA, or A based on a total score given by the classification model that considers the following factors: enrollment, location and economics. For an explanation of the classification model, and how scores are assigned, see Appendix 1.

10.7. Classification of member high schools in boys and girls basketball shall be determined in the next regular reclassification year and will remain in effect for a two year period unless the school experiences a 20% change in enrollment using WVDE enrollment figures at the end of the second school month and qualifies to be moved according to the classification model. Classification changes due to a 20% change in enrollment and the classification model becomes effective next academic year.

10.8. A school may choose to compete in WVSSAC tournaments in one class above its classification in boys and girls basketball providing proper notification is made to the WVSSAC prior to April 1 of a new classification year. Approval of this option will be for a two year period.

10.9. In boys and girls basketball, the Board of Directors may structure the WVSSAC tournament series in each sport by classification (AAAA-AAA-AA-A). Each sport will be structured according to the level of interest and accommodation for tournament alignment. The WVSSAC will conduct a survey of the membership prior to any change of structure of any given sport.

10.10. If a consolidation of two or more member schools occurs during the two year period, the new member school will be reclassified in boys and girls basketball based on the classification applied to the

newly classification model applied to the new consolidated school consolidated school.

10.11. No member school shall, based on the classification, be compelled to play more than one class up from where it would be classified in a four class system based strictly on enrollment.

10.12. The WVSSAC Board of Directors is authorized to grant a waiver to a classification assignment when it determines the rule fails to accomplish the purpose for which it is intended.

§127-3-11. Exchange of Eligibility Certificates.

11.1. Commission approved eligibility certificates are required at the beginning of the season of each sport and prior to the first contest.

11.2. The principal is responsible for the proper completion of the certificate.

11.3. The names of the students on all middle school, 9th grade, junior varsity and varsity teams shall be submitted on the school's master eligibility.

11.4. Student additions to the team must be certified immediately on an eligibility certificate submitted to the WVSSAC.

11.5. Principals will verify student eligibility using birth certificates to confirm a student's age. Disputed cases shall be reviewed and approved by the WVSSAC Executive Director prior to participation.

11.6. Changes to a student's age, number of semesters of attendance or semester credits on an eligibility certificate must be reported to and approved by the WVSSAC prior to participation.

11.7. Schools that fail to send the required eligibility information to the WVSSAC prior to the first contest will be assessed a fine of \$25.00 payable to the WVSSAC.

§127-3-12. Legal Opponents.

12.1. WVSSAC member schools shall not participate against any public, private, or parochial secondary school whose status has not been recognized by that group's governing body.

12.2. WVSSAC member schools shall not participate against schools that have been placed under a specified sanction, including member schools and out-of-state schools.

12.3. WVSSAC member schools shall not participate in any interscholastic contest or practice against non-school teams or involving alumni participants.

§127-3-13. Contracts.

13.1. All interscholastic contest contracts shall be prepared in duplicate on forms furnished by the WVSSAC. Contracts should include specific dates, financial guarantee provisions, adequate forfeiture stipulations, and all other items listed on the contract.

13.2. In order for a contract between two schools to be binding, it must be signed by the principal or designee of both schools.

13.3. Contracts between both schools may be canceled in the following situations:

13.3.a. If either principal or designee fails to sign the contract.

13.3.b. If either school is forced to suspend its school schedule.

13.3.c. If one school fails to return the signed contract to the other school within 30 days of receipt.

13.3.d. Upon written mutual consent of the contracting parties.

13.3.e. The Board of Directors may annul a contract when deemed necessary for the furtherance of interscholastic athletics in West Virginia, or when provisions of the contract are contrary to Commission rules.

13.4. Contracts executed by the principal are binding on the principal's successor.

13.5. A school will forfeit an athletic contest during regular season or scheduled tournament play if cancellation is caused by teachers, support personnel, or school patrons acting as a striking body. If both participating schools are affected by strike, cancellation shall be considered no contest. Regular season cancellation may be rescheduled during that same season by agreement of the involved parties and the Board of Directors.

§127-3-14. Sunday Contests.

14.1. WVSSAC member schools shall not engage in any practice, contest, meet, or tournament on Sunday. However, in case of emergency, State Championship finals may be played on Sunday after 1:00 p.m.

14.2. Sunday practice shall be defined as any team, group, or individual meeting to view films, hold shooting practice, or any other activity associated with the sport.

§127-3-15. Sports Rules -- Game Protests.

15.1. The current edition of official High School Rules published by the NFHS are the official rules used in contests, meets, and tournaments played by WVSSAC schools. The Board of Directors may modify such rules as provided by the NFHS. Any modified rules published in special bulletins or "The Interscholastic" shall apply.

15.2. In the absence of published NFHS rules, the Board of Directors may authorize competition under prevailing rules and regulations as modified for amateur competition.

15.3. Contests shall not be protested. Accordingly, the Board of Directors is not authorized to order contests replayed.

§127-3-16. Sanctioning and Travel.

16.1. A member school shall not enter a contest/competition which requires sanctioning until it is approved by the WVSSAC.

16.2. All applications for sanctioning must be submitted to the WVSSAC 30 days prior to the event, with the exception of international events.

16.3. Events requiring NFHS approval are:

16.3.a. Co-sponsorship Sanction Requirement: Any interstate event involving two or more schools, which is co-sponsored by or titled in the name of an organization outside the high school community (e.g., a university, a theme park, a shoe company), in addition to being sponsored by a member school, an approved school, or a state association, shall require sanction of the NFHS office.

16.3.b. Non-bordering State Sanction Requirement: Each state association shall sanction through the NFHS office interstate competition by a member school involving either:

16.3.b.1. More than eight schools, at least one of which is from a state that does not border the host state; or

16.3.b.2. Five or more states, at least one of which does not border the host state.

16.3.c. International Event: Each member state association shall approve and receive NFHS approval for competition by a member school against a school from a foreign country, except for two school and three school competition with a school or schools from Canada or Mexico which necessitates a round trip of less than 600 miles.

16.3.d. International Event: Games against Canadian or Mexican schools involving travel of greater than 600 miles, or an event involving more than three schools, one or more of which are from Canada or Mexico, requires a request to the NFHS for international sanction and notice to and sanction by the appropriate National Governing Body.

16.4. Bordering state events requiring approval are:

16.4.a. Any interstate event in which four or more schools participate and at least one of the states participating requires sanctioning. (All schools from bordering states.)

16.4.b. Any interstate event which involves schools from three or more state high school associations.

16.5. The WVSSAC may assess a fine and/or other penalties against the participating school for violations of the sanction provisions.

16.6. A member school shall not enter an event that involves travel of more than 600 miles round trip unless it occurs on days when school is not in session. The WVSSAC must sanction the event.

§127-3-17. WVSSAC Tournaments.

17.1. Participation in Commission sponsored and directed sectional, regional and state tournaments exclusively shall be limited to WVSSAC member schools.

17.2. The Board of Directors shall divide the state into sections and regions for the purpose of determining championships in Commission sponsored sports. The Board of Directors shall direct and arrange for tournaments, meets, and contests leading to and including state championships. The WVSSAC will provide member school principals the opportunity to review and comment on the alignment prior to the presentation to the Board of Directors. Principals will sign a form to verify receipt and return the form to the WVSSAC office within ten days from the date of the bulletin.

17.3. The Board of Directors shall have general control over sectional tournaments. The detailed management of these sectional tournaments, however, shall be under the control of the schools assigned to each respective section.

17.4. All net earnings from tournaments conducted under the supervision of the Board of Directors shall be turned over to the Commission unless otherwise specified by the Board of Control. Sectional or regional assessments may be charged to cover the cost of a tournament trophy furnished by the WVSSAC.

17.5. The Board of Directors may approve participation by member middle schools in county, league or conference tournament. Tournament play on the state level for member middle schools is prohibited.

17.6. State tournaments conclude only after all games, matches, or events are complete.

§127-3-18. Season Regulations.

18.1. The Commission uses the NFHS standardized calendar to schedule all activities. Each sport season shall have an established beginning and ending date for practice and interscholastic contests based on a standardized calendar.

§127-3-19. Baseball.

19.1. Rules: Baseball rules published by the NFHS are the official rules for all interscholastic competition unless otherwise provided by Commission modifications.

19.2. Organized Team Practice: Organized team practice will begin Monday of Week 35 and the first contest may be played on Wednesday of Week 37.

19.3. Length of Season: The baseball season ends for each team by WVSSAC tournament elimination.

19.4. Maximum Team Contests: A baseball team is permitted to play no more than 32 games exclusive of sectional, regional, and state tournament contests.

19.5. Scrimmages: Teams may conduct two baseball scrimmages with another high school. (See Glossary.)

19.6. Individual students of a team must have practiced on 12 separate days, exclusive of the day of a contest, before participating in an interscholastic contest.

19.7. Student Participation:

19.7.a. A student may not play or practice on a non-school baseball team while a member of the school team.

19.7.b. A student shall not participate in more than 32 games in one season, exclusive of sectional, regional, and state tournament contests. Serving as a "courtesy or pinch runner" is not considered "participation" in a game.

19.8. During the sport season, a student may accept awards only in WVSSAC sanctioned events. Awards must comply with §127-3-5. Outside the sport season, students may accept only compliant awards in non-sanctioned events.

19.9. Middle Schools -- The above will apply for middle schools with following adaptations:

19.9.a. Middle school teams may play 18 games including tournaments sanctioned by the WVSSAC.

19.9.b. Middle school season will be completed by Saturday of Week 45.

19.9.c. Middle school teams are permitted one scrimmage. (See Glossary.)

§127-3-20. Basketball (Boys and Girls).

20.1. Rules: Basketball rules published by the NFHS are the official rules for all interscholastic competition unless otherwise provided by Commission modification.

20.2. Organized Team Practice: Organized team practice for girls will begin on Monday of Week 19 and Monday of Week 20 for boys. The first contest for girls may be played on Tuesday of Week 22 and Tuesday of Week 23 for boys.

20.3. Length of Season: The boys' and girls' basketball seasons will end for each team at tournament elimination.

20.4. Maximum Team Contests: A varsity or junior varsity basketball team will be permitted to play no more than 22 games in the regular season exclusive of sectional, regional, and state tournament contests.

20.4.a. The maximum number of quarters for a student in one season is 132 exclusive of sectional, regional, and state tournament contests.

20.4.b. A student can play only six quarters in one day.

20.4.c. Participation in a quarter, regardless of time, will be considered one quarter.

20.4.d. Overtime is considered as an extension of the fourth quarter.

20.5. A high school basketball team is permitted to participate in a preview and a scrimmage or two scrimmage games. (See Glossary.)

20.6. Individual students of a team must have practiced on 12 separate days, exclusive of the day of a contest, before participating in an interscholastic contest.

20.7. A student may not play or practice on a non-school team while a member of the school team.

20.8. During the sport season a student may accept awards only in WVSSAC sanctioned events Awards must comply with the §127-3-5. Outside the sport season, students may accept only compliant awards in non-sanctioned events.

20.9. Middle Schools -- The above rules will apply for middle schools with the following adaptations:

20.9.a. Girls may begin practice on Monday of Week 18 and boys on Monday of Week 19. The first contest for girls may be played on Wednesday of week 21 and Wednesday of week 22 for boys.

20.9.b. The girls basketball season will end on Saturday of Week 33 and Saturday of Week 34 for boys.

20.9.c. Tournament play on the state level shall be prohibited.

20.9.d. Boys and girls basketball teams will be permitted to play no more than 20 games. Tournament exception does not apply.

20.9.e. All middle students may play a maximum of 100 quarters for one season.

20.9.f. All middle students may play a maximum of five quarters per day.

20.9.g. A member school sponsoring games involving teams which combine students in 7th and 8th grades must play those games in quarters of six minutes.

20.9.h. Middle schools are not permitted to play an alumni game.

20.9.i. Scrimmages: Middle school teams are permitted one scrimmage. (See Glossary.)

§127-3-21. Cheerleading.

21.1. Rules: Cheerleading rules published by the NFHS are the official rules for all interscholastic competition unless otherwise provided by Commission modification.

21.2. Organized Practice: Organized team practice will begin on Monday of Week 5.

21.3. Length of Season: The high school spirit and competitive season will begin Monday of Week 5. The competitive season will end for each team at their cheer tournament elimination. The high school spirit season will end on the last day of the Girls' State Basketball Tournament or Boys' State Basketball Tournament.

21.4. Individual students of a team must have practiced on 12 separate days, exclusive of the day of a contest, before participating in an interscholastic contest.

21.5. A student may accept awards in WVSSAC sanctioned events and non-sanctioned events during the entire year. These awards must be consistent with the items specified in §127-3-5.

21.6. Middle Schools -- The above rules will apply for middle schools with the following adaptations:

21.6.a. Organized Team Practice: Organized team practice will begin on Monday of Week 6.

21.6.b. The middle school spirit and competitive cheer season will begin Monday of Week 6. The competitive season will end Saturday of Week 18. The middle school spirit season will end on the last day of the middle school girls' or boys' basketball season.

§127-3-22. Cross Country (Boys and Girls).

22.1. Rules: Cross country rules published by the NFHS are the official rules for all interscholastic competition unless otherwise provided by Commission modification.

22.2. Organized team practice will begin on Monday of Week 5 and the first meet may be held on Saturday of Week 7.

22.3. Length of Season: The cross country season will end for each team or individual at tournament elimination.

22.4. Maximum Team Contests: A cross country team will be permitted 16 meets exclusive of regional and state contests.

22.5. Scrimmages: Schools may conduct two cross country scrimmages with another high school may be conducted. (See Glossary.)

22.6. Individual students of a team must have practiced on 12 separate days, exclusive of the day of a contest, before participating in an interscholastic contest.

22.7. A student may accept awards in WVSSAC sanctioned events and non-sanctioned events during the entire year. These awards must be consistent with the items specified in the §127-3-5.

§127-3-23. Football.

23.1. Rules: Football rules published by the NFHS are the official rules for all interscholastic competition unless otherwise provided by Commission modification.

23.2. Organized Team Practice: Organized team conditioning practice will begin on Monday of Week 5 and the first contest may be played during Week 8.

23.2.a. The following table establishes for high school the equipment/contact level, earliest date for scrimmage or Grid-O-Rama, date for first contest, and date season must be completed.

Year	First Date Organized Practice Helmets Only No Contact	First Date Helmet & Shoulder Pads Soft Equipment Contact (Bag, Shields, Sleds, Tackling Wheel, etc.)	First Date Full Pads Soft Equipment Contact (Bag, Shields, Sleds, Tackling Wheel, etc.)	First Date Full Pads Full Contact	Earliest Scrimmage or Grid-O-Rama after 4:00 p.m.	First Contest	Date Season Must Be Completed
2022	Aug. 1 and 2	Aug. 3 and 4	Aug. 5	Aug. 6	Aug. 12	Aug. 22	Nov. 5
2023	July 31 and Aug. 1	Aug. 2 and 3	Aug. 4	Aug. 5	Aug. 11	Aug. 21	Nov. 4
2024	Aug. 5 and 6	Aug. 7 and 8	Aug. 9	Aug. 10	Aug. 16	Aug. 26	Nov. 9
2025	Aug. 4 and 5	Aug. 6 and 7	Aug. 8	Aug. 9	Aug. 15	Aug. 25	Nov. 8
2026	Aug. 3 and 4	Aug. 5 and 6	Aug. 7	Aug. 8	Aug. 14	Aug. 24	Nov. 7

23.2.b. Individual students of a team must have practiced on 12 separate days, exclusive of the day of a contest, before participating in an interscholastic contest.

23.2.c. In season football camps sponsored by a member school or by other school related organizations where football coaching and instruction are given are not permitted.

23.2.d. The use of football uniforms, protective equipment, tackling or blocking dummies, charging sleds, or similar devices are strictly prohibited during the conditioning program. During the date of pads no live contact, the use of sleds, shields, and blocking dummies is allowed to permit gradual adaptation of the students to carrying the weight of their pads and adjusting to temperature variation.

23.3. Length of Season: The football season will end for each team at the end of the regular season or by play-off elimination.

23.4. Maximum Team Contests: A football team will be permitted to play no more than 10 games exclusive of the play-off games.

23.4.a. The total number of quarters for a student in one season is 50 exclusive of the play-off games.

23.4.b. A student may only play four quarters in one day.

23.4.c. Any student who participated in one or more downs in one quarter shall be charged with one quarter of play. Downs in which the football teams are in a free kick formation, or the offensive team is in a scrimmage kick formation, as defined in the NFHS Football Rule Book, will not count as a down.

23.4.d. Overtime is considered as an extension of the fourth quarter.

23.4.e. Interscholastic practice game in which teams representing a member school play against alumni or others is not allowed.

23.5. A football team is permitted to participate in a Grid-O-Rama and one preseason scrimmage or two preseason scrimmages. (See Glossary for definitions of Grid-O-Rama and Scrimmage.)

23.6. Special Regulations:

23.6.a. All rules and regulations of these bylaws pertaining to football are also applicable to six-man and eight-man football.

23.6.b. Any member of a freshman team who plays in a varsity contest (scrimmage, Grid-o-Rama or game) is ineligible to return to the freshman team.

23.6.c. A student may not play or practice on a non-school football team while a member of the school team.

23.7. A student may accept awards for WVSSAC sanctioned and non-sanctioned events during the entire year. These awards must be consistent with the items specified in the §127-3-5.

23.8. The Board of Directors is authorized to adopt a point rating system and overall procedure for determining a state champion in each class.

23.9. Middle Schools: The above rules will apply for middle schools with the following adaptations:

23.9.a. Organized team conditioning practice will begin on Monday of Week 6 and the first game played during Week 9.

23.9.b. The following table establishes, for middle school the equipment/contact level, earliest date for a scrimmage, the date for first contest and the date season must be completed.

Year	First Date Organized Practice Helmets Only. No Contact	First Date Helmet and Shoulder Pads. Soft Equipment Contact (Bag, Shields, Sleds, Tackling Wheel, Etc.)	Full Pads. Soft Equipment Contact (Bag, Shields, Sleds, Tackling Wheel, Etc.)	Full Pads Full Contact	Earliest Scrimmage	First Contest	Date Season Must be Completed
2022	Aug. 8, 9, and 10	Aug. 11, 12, and 13	Aug. 15 and 16	Aug. 17, 18, 19, and 20	Aug. 22	Aug. 29	Oct. 29
2023	Aug. 7, 8, and 9	Aug. 10, 11, and 12	Aug. 14 and 15	Aug. 16, 17, 18, and 19	Aug. 21	Aug. 28	Oct. 28
2024	Aug 12, 13, and 14	Aug. 15, 16, and 17	Aug. 19 and 20	Aug. 21, 22, 23, and 24	Aug. 26	Sept .2	Nov. 2
2025	Aug. 11, 12, and 13	Aug. 14, 15, and 16	Aug. 18 and 19	Aug. 20, 21, 22, and 23	Aug. 25	Sept. 1	Nov. 1

2026	Aug. 10, 11 and 12	Aug. 13, 14, and 15	Aug. 17 and 18	Aug. 19, 20, 21, and 22	Aug. 24	Aug. 31	Oct. 31
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23.9.c. The football season will end on Saturday of Week 17.

23.9.d. Not more than eight interscholastic football games shall be played, excepting one league playoff game. There shall be a nine game limit, even if league playoff games are used, and the extra game is limited to two teams. Leagues choosing to have the extra playoff game may participate in a two quarter Grid-O-Rama in place of a scrimmage game, if agreed to before the start of the season.

23.9.e. The total number of quarters for a middle school student in one season is 40, exclusive of the playoff game in §127-3-23.4.

23.9.f. A middle school football team is allowed one preseason scrimmage under the following conditions:

23.9.f.1. Scrimmage will not be played under game conditions.

23.9.f.2. Scrimmage must be played prior to first game of regular season.

23.9.f.3. Admission may be charged.

23.9.f.4. Registered officials may be used.

23.9.g. Middle school football teams may play overtime periods in regular season games. Overtime periods will be played until a winner is determined in accordance with the NFHS Football Rules "20 yard line overtime procedure."

23.9.h. Middle school game ball: The football used involving only students in the 8th grade and below shall be the youth football. Modification of the rule is listed in the NFHS Rule Book, Rule 1-3-1.

23.9.i. Length of Quarters: For teams composed of students in any combination of 6th, 7th, and 8th grades, the length of quarters shall be eight minutes.

23.9.j. A 9th grade team in a high school program will follow the rules provided for high school.

§127-3-24. Golf (Boys and Girls).

24.1. Rules: Golf rules published by the United States Golf Association are the official rules for all interscholastic competition unless otherwise provided by WVSSAC modifications.

24.2. Organized Team Practice: Organized team practice will begin on Monday of Week 5 and the first contest may be played on any day after the first day of the season.

24.3. Length of Season: The golf season will end for each team or individual at tournament elimination.

24.4. Maximum Team Contests: A high school golf team will be permitted to play no more than 18

varsity matches, 18 JV matches, and 18 girls' JV matches. A male or female participant may play no more than a total of 18 matches exclusive of regional and state tournament contests between the varsity, JV, and girls' JV matches. Girls who participate on school teams who do not have a minimum of three female participants may participate as individuals in girls' JV matches as long as the total number of matches they play between varsity, JV, and girls' JV does not exceed 18. Each interscholastic contest counts as one, whether it is nine or 18 holes, and regardless of number of opponents.

24.5. Scrimmages: Not permitted.

24.6. A student may accept awards in WVSSAC sanctioned events and non-sanctioned events during the entire year. These awards must be consistent with the items specified in §127-3-5.

24.7. Middle School Golf: The above will apply for middle schools with the following adaptations:

24.7.a. Middle school teams are permitted to play no more than 14 matches.

24.7.b. There shall be one season for golf in middle school, either fall or spring; however, the season selected shall be no longer than ten weeks.

§127-3-25. Soccer (Boys and Girls).

25.1. Rules: Soccer rules published by the NFHS are the official rules for all interscholastic competition unless otherwise provided by Commission modifications.

25.2. Organized Team Practice: Organized team practice will begin on Monday of Week 5 and the first contest may be played on Wednesday of Week 7.

25.3. Length of Season: The soccer season will end for each team by WVSSAC tournament elimination.

25.4. Maximum Team Contests: A soccer team will be permitted to play no more than 20 matches exclusive of sectional, regional, and state tournaments.

25.4.a. The maximum number of halves for a student in one season will be 50, exclusive of sectional, regional, and state tournaments.

25.4.b. A student shall not be permitted to participate in more than three halves during any one day. Play in any part of a half counts as one half. In an overtime game, the overtime shall be considered an extension of the second half.

25.5. A high school soccer team is permitted to participate in a soccer-o-rama and one preseason scrimmage or two preseason scrimmages. (See Glossary.)

25.6. Individual students of a team must have practiced on 12 separate days, exclusive of the day of a contest, before participating in an interscholastic contest.

25.7. A student may not play or practice on a non-school soccer team while a member of the school

team.

25.8. A student may accept awards only in WVSSAC sanctioned events during the season of that sport. These awards must be consistent with the items specified in §127-3-5. Students may accept only this same type of award in non-sanctioned events outside the sport season.

25.9. Middle Schools: The above will apply for middle schools with the following adaptations:

25.9.a. Middle school teams may play 14 matches including tournaments sanctioned by the WVSSAC.

25.9.b. Organized team practice will begin on Monday of Week 6 and the first contest may be played on Monday of Week 9.

25.9.c. Middle school season will be completed by Saturday of Week 17.

25.9.d. The maximum number of halves for a student in one season will be 28.

25.9.e. Middle school teams are permitted one scrimmage. (See Glossary.)

§127-3-26. Softball.

26.1. Rules: Softball rules published by the NFHS are the official rules for all interscholastic competition unless otherwise provided by Commission modifications.

26.2. Organized Team Practice: Organized team practice will begin on Monday of Week 35 and the first contest may be played on Wednesday of Week 37.

26.3. Length of Season: The softball season will end for each team by WVSSAC tournament elimination.

26.4. Maximum Team Contests: A softball team will be permitted to play no more than 32 contests exclusive of sectional, regional and state contests.

26.5. Scrimmages: Two softball scrimmages with another high school may be conducted. (See Glossary.)

26.6. Individual students of a team must have practiced on 12 separate days, exclusive of the day of a contest, before participating in an interscholastic contest.

26.7. Student Participation:

26.7.a. A student may not play or practice on a non-school softball team while a member of the school team.

26.7.b. A student shall not participate in more than 32 games in one season, exclusive of sectional, regional and state tournament contests. Serving as a "courtesy or pinch runner" is not considered

“participation” in a game.

26.8. During the sport season, a student may accept awards only in WVSSAC sanctioned events. These awards must be compliant with §127-3-5. Outside the sport season students may accept only compliant awards in non-sanctioned events.

26.9. Middle Schools: The above will apply for middle schools with the following adaptations:

26.9.a. Middle school teams may play 18 games including tournaments sanctioned by the WVSSAC.

26.9.b. Middle school season will be completed by Saturday of Week 45.

26.9.c. Middle school teams are permitted one scrimmage. (See Glossary.)

§127-3-27. Swimming (Boys and Girls).

27.1. Rules: Swimming rules published by the NFHS are the official rules for all interscholastic competition unless otherwise provided by Commission modification.

27.2. Organized Team Practice: Organized team practice will begin on Monday of Week 17 and the first contest may be on Wednesday of Week 19.

27.3. Length of Season: The swimming season will end for each team or individual by WVSSAC tournament elimination.

27.4. Maximum Team Contests: A swimming team will be permitted 16 contests exclusive of sectional, regional, and state contests.

27.5. Scrimmages: Two swimming scrimmages with another high school may be conducted. (See Glossary.)

27.6. Individual students of a team must have practiced on 12 separate days, exclusive of the day of a contest, before participating in an interscholastic contest.

27.7. A student may accept awards in WVSSAC sanctioned events and non-sanctioned events during the entire year. These awards must be consistent with the items specified in §127-3-5.

27.8. The above will apply for middle schools with the following adaptations:

27.8.a. Middle school teams will be permitted 14 meets.

27.8.b. There shall be one season for middle school swimming, either winter or spring. However, the season selected shall be no longer than 12 weeks.

27.8.c. Middle school season will be completed by Saturday of Week 31.

27.8.d. Middle school teams are permitted one scrimmage. (See Glossary.)

§127-3-28. Tennis (Boys and Girls).

28.1. Rules: Tennis rules published by the United States Tennis Association are the official rules for all interscholastic competition unless otherwise provided by Commission modification.

28.2. Organized Team Practice: Organized team practice will begin on Monday of Week 35 and the first contest may be played on Wednesday of Week 37.

28.3. Length of Season: The tennis season will end for each team or individual at tournament elimination.

28.4. Maximum Team Contests: A tennis team will be permitted 22 matches exclusive of sectional, regional, and state contests.

28.4.a. Dual, triangular and quadrangular matches count as one match. Matches in which five or more schools participate count as two matches.

28.5. Scrimmages: Two tennis scrimmages with another high school may be conducted. (See Glossary.)

28.6. Individual students of a team must have practiced on 12 separate days, exclusive of the day of a contest, before participating in an interscholastic contest.

28.7. A student may accept awards in WVSSAC sanctioned events or non-sanctioned events during the entire year. These awards must be consistent with the items specified in §127-3-5.

28.8. Middle Schools: The above will apply for middle schools with the following adaptations:

28.8.a. Middle school teams may play 16 matches including tournaments sanctioned by the WVSSAC.

28.8.b. Middle school teams are permitted one scrimmage. (See Glossary.)

28.8.c. There shall be one season for tennis in middle school, either fall or spring; however, the season selected shall be no longer than 12 weeks.

§127-3-29. Track and Field (Boys and Girls).

29.1. Rules: Track and Field rules published by the NFHS are the official rules for all interscholastic competition unless otherwise provided by Commission modification.

29.2. Organized Team Practice: Organized team practice will begin on Monday of Week 35 and the first contest may be on Wednesday of Week 37.

29.3. Length of Season: The track and field season will end for each team or individual by WVSSAC

tournament elimination.

29.4. Maximum Team Contests: A track and field team will be permitted 16 meets exclusive of sectional, regional, and state contests.

29.5. Participation Limitations: Maximum of four events per participant per meet.

29.6. Scrimmages: Not permitted.

29.7. Individual students of a team must have practiced on 12 separate days, exclusive of the day of a contest, before participating in an interscholastic contest.

29.8. A student may accept awards in WVSSAC sanctioned events and non-sanctioned events during the entire year. These awards must be consistent with the items specified in §127-3-5.

29.9. Middle Schools -- The above will apply for middle schools with the following adaptations:

29.9.a. Middle school teams will be permitted 14 meets and only two meets per week.

29.9.b. Middle school season will be completed by Thursday of Week 46.

29.9.c. Participation limitation: Middle school students, regardless of grade levels (6, 7, or 8), may compete in a maximum of four events, of which only three may be running events, including relays.

§127-3-30. Volleyball (Girls).

30.1. Rules: Volleyball rules published by NFHS are the official rules for all interscholastic competition unless otherwise provided by Commission modification.

30.2. Organized Team Practice: Organized team practice will begin on Monday of Week 6 and the first contest may be played on Wednesday of Week 8.

30.3. Length of Season: The volleyball season will end for each team by WVSSAC tournament elimination.

30.4. Maximum Team Contest: A volleyball team will be permitted no more than 22 playing dates exclusive of sectional, regional, and state contests.

30.4.a. Dual, triangular, and quadrangular matches count as one playing date. Matches in which five or more schools participate count as two playing dates.

30.5. In dual competition, a student may participate in a maximum of four games against the same opponent if a match is two of three games and six games if the varsity match is three of five games.

30.6. Scrimmages: Two volleyball scrimmages with another high school or one scrimmage and one preview may be conducted. (See Glossary.)

30.7. Individual students of a team must have practiced on 12 separate days, exclusive of the day of a contest, before participating in an interscholastic contest.

30.8. A student may not play or practice on a non-school volleyball team while a member of the school team.

30.9. A student may accept awards only in WVSSAC sanctioned events during the season of that sport. These awards must be consistent with the items specified in §127-3-5. Students may accept only this same type of award in non-sanctioned events outside the sport season.

30.10. Middle Schools: The above will apply for middle schools with the following adaptations:

30.10.a. Middle school teams will be permitted 18 playing dates.

30.10.b. Organized team practice will begin on Monday of Week 7 and the first contest may be played on Wednesday of Week 9.

30.10.c. Middle school season will be completed by Saturday of Week 17.

30.10.d. Middle school teams are permitted one scrimmage. (See Glossary.)

§127-3-31. Wrestling (Boys).

31.1. Rules: Wrestling rules published by the NFHS are the official rules for all interscholastic competition unless otherwise provided by Commission modification.

31.2. Organized Team Practice: Organized team practice will begin on Monday of Week 20 and the first contest may be played on Wednesday of Week 22.

31.3. Length of Season: The wrestling season will end for each team or individual at tournament elimination.

31.4. Maximum Team Contest: A wrestling team will be permitted to have 18 weigh-ins exclusive of regional and state tournaments.

31.4.a. Triangular and quadrangular weigh-ins count as one weigh-in. Weigh-ins in which five or more schools participate count as two weigh-ins. A dual meet, in which only two teams compete, shall only count as one-half of a weigh-in point.

31.5. Scrimmages: Two wrestling scrimmages with another high school may be conducted. (See Glossary.)

31.6. Individual students of a team must have practiced on 12 separate days, exclusive of the day of a contest, before participating in an interscholastic contest.

31.7. A student may accept awards only in WVSSAC sanctioned events during the season of that sport. These awards must be consistent with the items specified in §127-3-5. Students may accept only this

same type of award in non-sanctioned events outside the sport season.

31.8. Middle Schools: The above will apply for middle schools with the following adaptations:

31.8.a. Organized Team Practice: Organized team practice will begin on Monday of Week 19 and the first contest may be played on Wednesday of Week 22.

31.8.b. Middle school teams may have 16 weigh-ins excluding any conference tournament.

31.8.c. Middle school teams are permitted one scrimmage under the same conditions as a high school.

31.8.d. Middle school season will be completed by Saturday of Week 33.

APPENDIX 1

This considers the following factors: enrollment, location and economics. These factors are given individual scores, which are then given a weighted aggregate total. All individual scores (scores for enrollment, location and economics) are normalized using maximum-minimum normalization using feature scaling, wherein their values fall between 0-1. Individual scores are calculated in the following ways:

- The **enrollment score** takes enrollment data and normalizes it on a scale from 0-1
- The **location score** is made up of two equally weighted pieces.
 - Part 1 is determined by taking the school county's population divided by the driving distance between the school and the county seat, that value is then normalized between 0-1.
 - Part 2 is calculated by finding the distance from the school to the closest city with a population of 10,000 or more, then normalized between 0-1. Each part is then multiplied by half of the location score weight.
- The **economic score** is determined by first calculating a county score where the z-score of the county's median household income is added to the z-score of the county's poverty rate and the sum is normalized between 0-1.
 - For all schools located within single high school counties, the county economic score serves as the school economic score.
 - For all schools located within multi-high school counties, Direct Certified numbers on students eligible for free or reduced lunch are used to scale the county economic score. The scaling is accomplished by comparing the Direct Certified numbers of each individual school with the county average.

Weights are applied to each score that are determined based on qualitative assessment by the WVSSAC Competition Balance Committee. All county data (population, median household income, and poverty rate) are from the most recent US Census American Community Survey's Five Year Estimates and the distances are determined using Google Maps.

TITLE 127
LEGISLATIVE RULE
WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION

SERIES 4
PROVISIONS GOVERNING CONDUCT

§127-4-1. General.

1.1. Scope. -- These rules govern conduct for active and spectator participants, coaches and all other school personnel at interscholastic athletic events.

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

1.3. Filing Date. -- July 11, 2019.

1.4. Effective Date. -- September 9, 2019.

1.5. Repeal of Former Rule. -- This legislative rule amends W. Va. 127CSR4, West Virginia Secondary School Activities Commission Series 4, Provisions Governing Conduct, filed July 9, 2015, and effective September 8, 2015.

§127-4-2. Sportsmanship.

2.1. Member schools are required to conduct all relations with other schools in a spirit of good sportsmanship. Acts which are prima facie evidence of failure to abide by this rule are those which are noted below and others of similar nature which violate the accepted code of good sportsmanship.

2.2. It shall be the responsibility of the home schools to take proper steps and precautions to insure that crowd and spectator control is handled reasonably at all interscholastic athletic contests including all post season athletic contests whether home or away. In addition to the spectators, attention must be directed to the safety, comfort, and security of the coaches, officials, and students. Their seating accommodations should protect them from spectator interference.

2.3. It shall be the responsibility of any team, student, coach, or attendant to remain in or a part of a contest until its normal end as provided by the National Federation Rules of that particular sport. The exception to the above would be provided by the same National Federation Rules of that particular sport. The penalty for a violation by a coach, student, or team attendant will not only involve ejection during that particular contest but shall also involve that student, coach, or team attendant not being a part of that school's team for the next regularly scheduled contest(s) or post season progression in a playoff tournament, as regulated in §127-4-3.7.3. The coach, student, or team attendant may practice in the days prior to the contest but may not dress or participate on the day of the contest. Rule 127-3-8 further explains the forfeiture consequences.

2.4. It shall be the responsibility of a member school to use every means at its disposal to impress upon its faculty, student body, team members, coaching staff, and officials the values of sportsmanship in preparation for the conduct and management of interscholastic contests.

2.5. It shall be the responsibility of an administrator, spectator, student, or coach to follow those directions provided for in the Code for Interscholastic Athletics.

§127-4-3. Code for Interscholastic Athletics.

3.1. The school administrator shall:

3.1.a. Encourage and promote friendly relationships and good sportsmanship throughout the school by requiring courtesy and proper decorum at all times, by acquainting students and others in the community with ideals of good sportsmanship and by so publicizing these concepts and attitudes that all members of the school and community will understand their meaning.

3.1.b. Insist upon implicit compliance with all rules and regulations of the West Virginia Secondary School Activities Commission, hereinafter referred to in this rule as the WVSSAC.

3.1.c. Secure WV registered officials for all contests.

3.1.d. Insist upon adequate safety provisions for all activities, for both participants and spectators.

3.1.e. Approve only those activities and schedules which are educationally and physically sound for the student.

3.1.f. Encourage all to judge the success of the athletic program on the basis of the education goals and the attitude of the participants and spectators, rather than on the basis of the number of games won or lost.

3.1.g. Insist that the students exemplify the highest standards of good sportsmanship as a means of inculcating desirable spectator attitudes.

3.1.h. Provide adequate hygienic, sanitary, and attractive facilities for the dressing and housing of visiting teams and officials.

3.1.i. Review with staff the Sportsmanship Rule.

3.2. The coach shall:

3.2.a. Demonstrate high ideals, good habits, and desirable attitudes in personal behavior and demand the same standards of the students.

3.2.b. Recognize that the purpose of competition is to promote the physical, mental, social, and emotional well-being of the students and that the most important values of competition are derived from playing the game fairly.

3.2.c. Be a modest winner and a gracious loser.

3.2.d. Maintain self-control at all times, accepting adverse decisions without public display of

emotion or of dissatisfaction with the officials.

3.2.e. Cooperate with the school principal in the planning, scheduling and conduct of sports activities.

3.2.f. Employ accepted educational methods in coaching, giving all students an opportunity to use and develop initiative, leadership, and judgment.

3.2.g. Pay close attention to the physical condition and well-being of the students refusing to jeopardize the health of an individual for the sake of improving the team's chances to win.

3.2.h. Teach students that it is better to lose fairly than win unfairly.

3.2.i. Prohibit gambling, profanity, abusive language, and similar violations of good sportsmanship.

3.2.j. Refuse to disparage an opponent, an official, or others associated with athletic activities and discourage gossip and questionable rumors concerning them.

3.2.k. Properly supervise students under their immediate care and specifically observe a coach's responsibilities in conjunction with state interscholastic contests.

3.3. The spectator shall:

3.3.a. Realize that they represent the school just as definitely as does the member of a team, and, therefore, has an obligation to be a true sportsman, encouraging through this behavior the practice of good sportsmanship by others.

3.3.b. Recognize that good sportsmanship is more important than victory by approving and applauding good team play, individual skill and outstanding examples of sportsmanship and fair play exhibited by either team.

3.3.c. Recognize that, since the primary purpose of interscholastic athletics is to promote the physical, mental, moral, social, and emotional well-being of the students through the medium of contests, victory or defeat is in reality of secondary importance.

3.3.d. Treat visiting teams and officials as guests, extending to them every courtesy.

3.3.e. Be modest in victory and gracious in defeat.

3.3.f. Respect the judgment and integrity of officials, realizing that their decisions are based upon game conditions as they observe them.

3.4. The student shall:

3.4.a. Be courteous to visiting teams and officials.

3.4.b. Participate to the limit of their ability. The true student does not give up, nor do they

quarrel, cheat, bet, or grandstand.

3.4.c. Be modest when successful and be gracious in defeat. A true "sport" does not offer excuses for failures.

3.4.d. Maintain a high degree of physical fitness by observing team and training rules conscientiously.

3.4.e. Demonstrate loyalty to the school by maintaining satisfactory scholastic standing and by participating in and supporting other school activities.

3.4.f. Understand and observe the rules of the game and the standards of eligibility.

3.4.g. Respect the integrity and judgment of officials and accept their decisions without questions.

3.4.h. Respect the facilities of host schools and the trust entailed in being a guest.

3.4.i. The cheerleader shall always cheer positively for the team and never negatively against the opponent.

3.5. The official shall:

3.5.a. Place the welfare of the student above all other considerations.

3.5.b. Know the game rules thoroughly and give intelligent interpretations.

3.5.c. Maintain confidence and control from start to finish.

3.5.d. Work cooperatively with fellow officials and game administrators.

3.5.e. Refrain from exhibiting emotions or arguing with a student or coach. Maintain self-control under all conditions.

3.5.f. Be fair, impartial and professional.

3.5.g. Be neat and dress in the appropriate uniform.

3.5.h. Be in adequate physical condition for the demands of the particular sport.

3.5.i. Refrain from commenting upon or discussing a team, play, game situation, or fellow official.

3.5.j. So conduct the game as to enlist the cooperation of students, coaches, and spectators in the interest of good sportsmanship.

3.6. *Protection, Facilities, and Assistance.* The home team is expected to furnish supervision. Outdoor facilities or playing facilities should be separated from the spectators by a restraining barrier (fence, wire, rope, etc.). Officials should be provided with a parking space, private dressing facilities not

accessible to unauthorized personnel, and should be paid no later than half-time of game. The use of trained, competent, adult "assistant officials," i.e., scorers, timers, chain and down marker crews, etc., is strongly recommended.

3.7. *Statement of Policy.* Insofar as unsportsmanlike actions by students, school administrators, officials, coaches, faculty members, and spectators are concerned, the identical items under the Sportsmanship Rule along with the following guides will be referred to by the WVSSAC:

3.7.a. The school whose coach behaves in a manner likely to have adverse influence on the attitudes of students or spectators may be provided with the choice of taking disciplinary action against that coach or having the entire school disciplined by the WVSSAC.

3.7.b. Any student who in protest lays hands or attempts to lay hands upon an official may be declared ineligible by the principal or by the WVSSAC for up to one year. Any student who strikes an opponent, coach, or a spectator during or following an athletic event may be declared ineligible by the principal or the WVSSAC for a specified period of time up to one year, depending on the seriousness of the act.

3.7.c. Any coach, student, or bench personnel ejected by an official will be suspended for the remainder of the game, match, meet or contest. The coach, student, or bench personnel ejected by an official will also be suspended in additional contest(s); the suspension will be assessed based upon ten (10) percent of the allowed regular season contests or post season progression in a playoff tournament for each sport. Any tenth of a percentage from .1 to .4 will be a suspension equal to the whole number of the percent. Any tenth from .5 to .9 will be an additional contest added to the whole number. The suspension will include the number of indicated contests in that sport and at that level and all other sport contests in the interim at any level. A second ejection will result in the doubling of the suspension assessed for the first ejection. If an individual is ejected for a third time during the same sport season, the individual will be suspended from participating or coaching for 365 calendar days from the date of ejection. In accordance with Rule 127-3-15.3, an individual ejected by an official may not appeal that ejection, or any subsequent suspension that is a consequence of the ejection by an official.

3.7.c.1. Any coach, player or bench personnel who has been ejected shall not be permitted to attend any contest(s) during said suspension. He/she shall not be affiliated with the team in any capacity. This would include but not be limited to transportation to or from the contest, meeting with the team before, during or after said contest. He/she is not permitted to be in sight or sound of said contest venue. Regular practice or team meetings not affiliated with a contest are permitted.

3.7.c.2. If suspensions are imposed to a student or bench personnel at the end of the sport season and no contest remains, the suspension is carried over to that particular sport until the next school year. In the case of a senior student, the penalty will continue to the next WVSSAC sponsored sport.

3.7.c.3. Any coach suspension that cannot be enforced during the sport season in which the ejection occurs will be enforced at the beginning of the next season of that same sport.

3.7.d. In case of spectators physically molesting an official, administrator, coach, or student, the school may be given one of two options: 1) file charges against the offender (s) or 2) accept discipline from the WVSSAC. Any person found guilty of W. Va. Code §61-2-15(a) Assault, Battery on Athletic Officials, while these individuals are working or as a result of working an athletic contest, shall be banned

from all WVSSAC athletic events for a minimum of 365 days from the date of being found guilty. The school filing charges shall notify the WVSSAC of the incident and outcome of any legal action.

3.7.e. The school that does not lend complete cooperation in the host school's effort to promote the spirit of good sportsmanship may be disciplined by the WVSSAC.

3.7.f. A coach may be considered as committing unsportsmanlike conduct if they make degrading remarks about officials during or after a game either on the field of play, from the bench, or through any public news media, argues with officials, or goes through motions indicating dislike for a decision, protests the decision and actions of officials pertaining to the game during and after the contest, or detains the official on the field of play following a game to request a ruling or explanation of some phase of the game. If a coach feels he/she has a legitimate criticism of a penalty call or a request for a rule interpretation, such criticism or request should be made in the privacy of the coach's office or the official's quarters and should be made in a courteous manner.

3.7.g. A student or team attendant shall not leave the bench area, team box area, or their designated off-field area during a game or contest other than during that time permitted by game or contest rules. A coach shall not leave the bench area, team box area, or the designated off-field area during a game or contest other than during that time permitted by game or contest rules unless a student altercation is taking place and the official requests assistance. Violation of this rule shall cause the coach, student, or team attendant to be immediately ejected from the contest; team penalized according to game or contest rules; and that coach, student, or team attendant will not be eligible to participate in the next contest as outlined in §127-4-2.3.

3.8. Procedure. Unsportsmanship action must be reported in detail to the WVSSAC. A copy of the complaint must also be filed with the principal of the school involved. Each principal involved shall report such information or answers to the report as they deem appropriate. Upon receipt of all reports, the Executive Director and/or the Board of Directors of the WVSSAC shall investigate and adjudicate such reports in accordance with the powers afforded in §127-1-8.6 and 8.7 and §127-1-12.2 and 12.3 of the Constitution. Penalties up to and including suspension of member schools may be made in accordance with §127-4.

3.9. The following defines the different types of disciplinary action which may be assessed for violation of any WVSSAC rule by a member school, administrator, coach, athlete or contest official:

3.9.a. *Warning.* A warning may be given by the Executive Director or Assistant Executive Director. It is official notice that an inexcusable, unethical, or unsportsmanship action has occurred, is a matter of record, and that such an occurrence must not be repeated.

3.9.b. *Probation.* Probation is a much more severe type of warning and may be expressed two ways: 1) a school, coach, student, or team attendant on probation is told that further violations will lead to a fine or suspension; and/or 2) a school on probation is on conditional WVSSAC membership but may engage in its regular schedule, sanctioned events, and all WVSSAC tournament play, providing a program is filed with the Executive Director of the WVSSAC indicating measures to be taken to alleviate this problem which caused the school to be placed on probation.

3.9.c. *Suspension.* A school/coach suspended from the WVSSAC may not meet in interscholastic competition of any kind with a WVSSAC member school or a school that is a member of another state

associated with the National Federation of State High School Associations.

3.9.d. *Fine.* A fine may be levied by the Executive Director.

3.9.e. Each of these sanctions (Warning, Probation, Suspension and Fine) may be imposed or levied separately, or in a combination of one or more sanctions.

3.10. *Appeals.* All cases involving disciplinary action against member schools, coaches, students, team attendants, or officials may be protested in accordance with §127-6. However, disciplinary action imposed by an official, including disciplinary action that is a consequence of a decision by an official, such as a suspension for an additional game or games as a consequence of an ejection, is governed by Rule 127-3-15.3 and is not subject to appeal.

3.11. *Review of Ejections.* Disciplinary action imposed by a contest official, including disciplinary action that results in a suspension for an additional game or games as a consequence of an ejection, is not subject to appeal pursuant to Rule §127-6. However, if the individual ejected believes the ejection was improper, he/she may request a review of the ejection by his/her principal. If the principal believes there is merit in the requested review, the principal shall complete and submit the WVSSAC Ejection Review Form within 24 hours or the next business day of the ejection to the Executive Director of the WVSSAC. If a review is properly requested, the WVSSAC will review the officials' special report, the WVSSAC Ejection Review Form, and such other information as the WVSSAC deems appropriate. Upon review, the WVSSAC Executive Director or the designated Assistant Director will either sustain the ejection and any consequent suspension(s), or will determine the ejection was improper and void any consequent suspension(s). A decision by the WVSSAC upon reviewing an ejection is not subject to appeal pursuant to Rule §127-6.

127CSR5

TITLE 127
LEGISLATIVE RULE
WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION

SERIES 5
BAND AND OTHER ACTIVITIES

§127-5-1. General.

1.1. Scope. -- These rules and regulations govern band and other West Virginia Secondary School Activities Commission sanctioned activities.

1.2. Authority. -- W. Va. Constitution, Article XII, §2, and W. Va. Code §§18-2-5, 18-2-25, 18-2-25a, and 18-2-25b.

1.3. Filing Date. -- July 14, 2022.

1.4. Effective Date. -- September 12, 2022.

1.5. Repeal of Former Rule. -- This legislative rule amends W. Va. 127CSR5, West Virginia Secondary School Activities Commission Series 5, Band Activities, filed August 10, 2018, and effective October 9, 2018.

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

2.1. All members of a member school band must be enrolled in that school; §127-5-2.3 is 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 6th, 7th, and 8th grades of a feeder school which does not have its own band and who receive their instruction from the band director of the high school band in which the students will eventually enroll shall be eligible to participate in the band directed by their instructor.

2.4. 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.

2.5. Students enrolled in schools serving grades five through eight may be eligible to participate in all band activities.

§127-5-3. Scholarship - Band.

3.1. All high school students are required to be enrolled in the equivalent of at least four content area course credits toward graduation. Failure to earn passing marks in the equivalent of at least four content area courses toward graduation shall render a student ineligible for the following semester.

3.1.a. Two of those four content area course credits must be in English language arts, social studies, mathematics or science, and may or may not be in the same subject.

3.1.b. If a student has completed all state, county, and school requirements, they may select four full credits from any area of the curriculum offered by the school.

3.1.c. If a student is taking a multiple period block course, such as vocational courses for a full morning or afternoon, it may be counted as more than one course. The number of courses counted will be equal to the units of full credits given; however, §127-5-1.1 and §127-5-1.2 apply.

3.2. Full credit may be awarded for outside courses and experimental programs developed by the school itself provided that it meets standards established by the county and West Virginia Board of Education. Such credit must be earned during the regular school term.

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

3.4. Scholastic deficiencies cannot be made up after the last day of the semester, except when a student's final examination(s) and course credit are delayed due to illness verified by a physician.

3.5. In all cases, the official school transcript determines a student's eligibility and is regarded as final.

3.6. A student promoted to the 6th grade for the first time is considered to have satisfied scholastic requirements and is permitted to participate during the first semester of initial enrollment in that grade, provided the student is otherwise eligible.

§127-5-4. Festivals - Band.

4.1. The West Virginia Secondary School Activities Commission (WVSSAC/Commission) Board of Directors (Board of 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 Directors shall appoint directors for the festivals. One of their responsibilities will be to contract adjudicators for the festivals.

4.4. Newly established programs are not 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 Directors shall provide each member school a list of approved school sponsored and non-school sponsored contests and activities in which member bands 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 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 school 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:

6.2.a. from a member school for participation;

6.2.b. in a sanctioned event; or

6.2. c. in a non-sanctioned event during the summer.

6.3. A student may not receive the following awards with a retail value that exceeds \$100.00:

6.3.a. Wearing apparel - sweaters, jackets, etc.;

6.3.b. Equipment - radio, television, etc.;

6.3.c. Music instruments, batons, etc.; and

6.3.d. Money (scholarship to institutions of higher learning are exempted).

6.4. Member school bands 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 for a student of an item mentioned in §127-5-6.3.a-d whereby a portion is donated by a school, booster club, auxiliary agency, or any other group or organization cannot exceed the specified limit.

6.6. Nothing in §127-5-6 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, and Class A. The Board of Directors is authorized to determine the size of enrollment in each class.

7.2. Classification shall be determined every four years in the even numbered year and, when established, shall remain in effect for 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, 11, and 12.

7.4. Member middle schools will not be given a classification.

§127-5-8. Enrollment and Membership - Robotics

8.1. All members of a member school robotics team must be enrolled in that school.

8.2. Participants in secondary school interscholastic robotics activities shall be eligible only for the number of years in which they are enrolled and attending a secondary school.

§127-5-9. Scholarship - Robotics

9.1. All students are required to be enrolled in the equivalent of at least four content area course credits toward graduation to participate in the state championship tournament. Failure to earn passing marks in the equivalent of at least four content area courses toward graduation shall render a student ineligible for the following semester.

9.1.a. Two of those four content area course credits must be in English language arts, social studies, mathematics, or science, and may or may not be in the same subject.

9.1.b. If a student has completed all state, county, and school requirements, the student may select four full credits from any area of the curriculum offered by the school.

9.1.c. If a student is taking a multiple period block course, such as vocational courses for a full morning or afternoon, it may be counted as more than one course. The number of courses counted will be equal to the units of full credits given; however, §127-5-1.1 and §127-5-1.2 apply.

9.2. Full credit may be awarded for outside courses and experimental programs developed by the school itself provided that it meets standards established by the county and West Virginia Board of Education. Such credit must be earned during the regular school term.

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

9.4. Scholastic deficiencies cannot be made up after the last day of the semester, except when a student's final examination(s) and course credit are delayed due to illness verified by a physician.

9.5. In all cases, the official school transcript determines a student's eligibility and is regarded as final.

9.6. A student promoted to the 6th grade for the first time is considered to have satisfied scholastic requirements and is permitted to participate during the first semester of initial enrollment in that grade, provided the student is otherwise eligible.

§127-5-10. Events - Robotics.

10.1. The Board of Directors shall divide the state into regions for the purpose of regional and state events and shall have the authority to place the high school robotic teams in those regions. The Board of Directors shall also determine the time, place, and management of these events.

10.2. Regular season and state tournament events shall follow the rules listed in the robotic manual found on the WVSSAC website.

10.3 All high school robotic teams participating in regional and state tournaments shall be composed of students that meet the qualification standards set forth in these rules.

10.3.a. Member schools may host separate invitational robotics tournaments.

10.3.b. Member schools shall not participate in any interscholastic contest or practice against non-school teams (see §127-3-12).

10.4. The Board of Directors shall appoint directors for the regional and state events.

§127-5-11. Awards - Robotics.

11.1. Only a member school or a school sponsoring a sanctioned event may give the following awards to a student or team: medal, trophy, cup, certificate, ribbon, plaque, unattached letter, unattached chevron, or any similar award.

11.2. A student may accept on an individual or team basis the above specified awards in the following situations:

11.2.a. from a member school for participation; or

11.2.b. in a sanctioned event.

11.3. A student may not receive the following awards with a retail value that exceeds \$100.00:

11.3.a. apparel - sweaters, jackets, jerseys, shoes, etc.;

11.3.b. equipment - radio, televisions, etc.;

11.3.c. robotics goods;

11.3.d. money (scholarships to institutions of higher learning are exempted).

11.4. Purchase of an item as identified in §127-3-5.3, whereby any portion is donated by a school, booster club, auxiliary agency, or any other group or organization cannot exceed the specified limit.

11.5. Nothing in §127-3-11 shall be interpreted to affect the recognition of scholarship or scholastic achievements.

§127-5-12. Classification of Schools – Robotics.

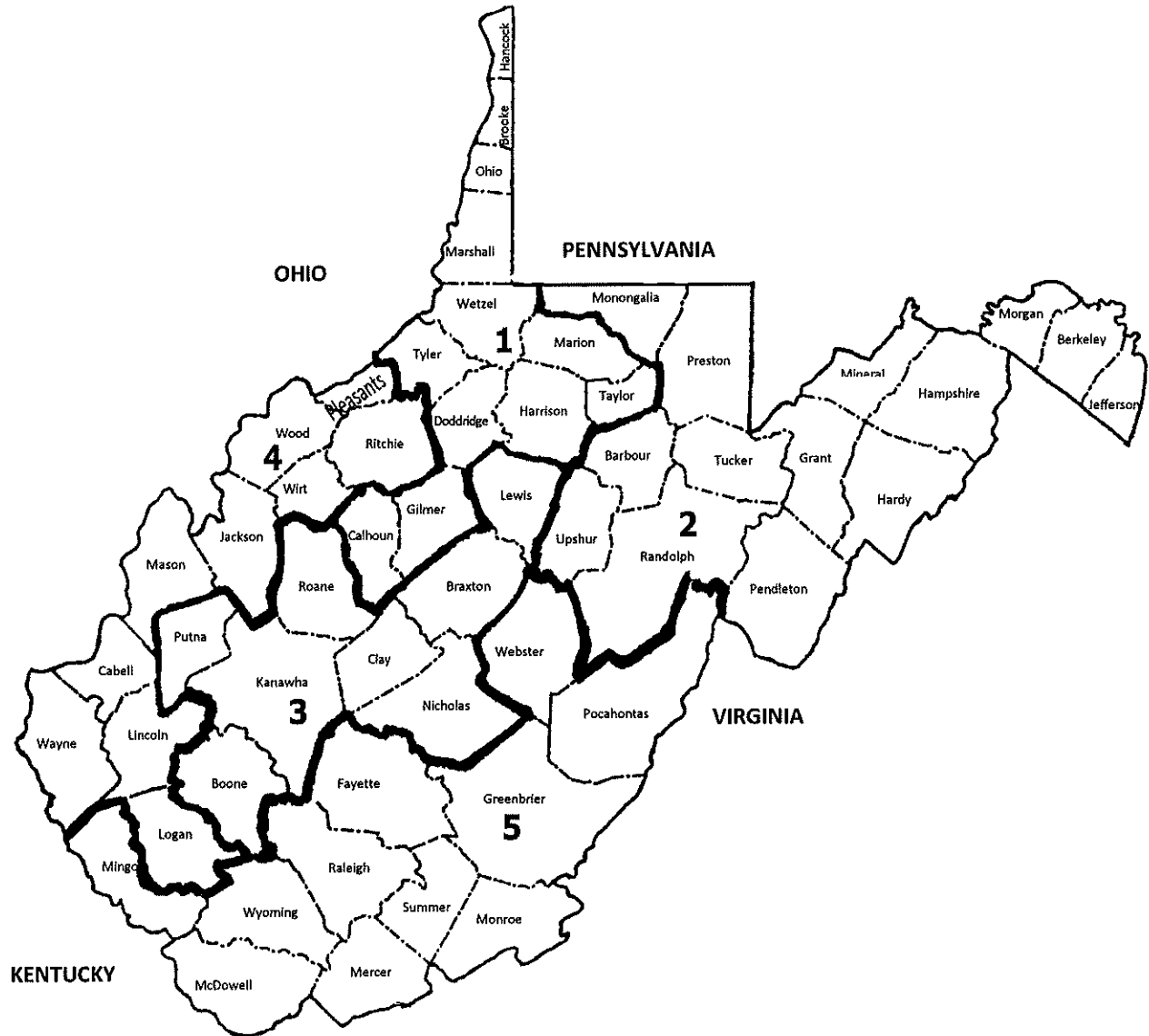
12.1. There shall be up to three classes of schools for robotics: Class AAA, Class AA, and Class A. The Board of Directors is authorized to determine the size of enrollment in each class.

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

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

12.4. Member middle schools will not be given a classification.

WVSSAC Administrative Districts



THE ADMINISTRATIVE DISTRICTS

- 1st: Brooke, Calhoun, Doddridge, Gilmer, Hancock, Harrison, Marion, Marshall, Ohio, Tyler, and Wetzel.
- 2nd: Barbour, Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral, Monongalia, Morgan, Pendleton, Preston, Randolph, Tucker, and Upshur.
- 3rd: Boone, Braxton, Clay, Kanawha, Lewis, Nicholas, Putnam, and Roane.
- 4th: Cabell, Jackson, Lincoln, Logan, Mason, Pleasants, Ritchie, Wayne, Wirt, and Wood.
- 5th: Fayette, Greenbrier, Mercer, Mingo, McDowell, Monroe, Pocahontas, Raleigh, Summers, Webster, and Wyoming.