

WEST VIRGINIA LEGISLATURE

2021 REGULAR SESSION

Introduced

Senate Bill 689

BY SENATORS PLYMALE, JEFFRIES, AND STOLLINGS

[Introduced March 22, 2021; referred
to the Committee on Education]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §18-2-25d, relating to permitting graduate athletes to participate in
 3 interscholastic athletic events during the 2021-2022 school year; providing legislative
 4 findings; defining “graduate athlete”; mandating the West Virginia State Board of
 5 Education waive certain eligibility requirements; limiting scope of athlete’s participation;
 6 and permitting continued participation while attending an institution of higher learning.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. STATE BOARD OF EDUCATION

§18-2-25d. Interscholastic Athletics Eligibility Waiver for Graduate Athletes

1 (a) The Legislature finds:

2 (1) Precautions taken to contain the COVID-19 pandemic have severely impacted
 3 students’ ability to engage in high school sports and to be eligible for college scholarship
 4 opportunities through participation in high school sports;

5 (2) The opportunity to play high school sports empowers student athletes, provides
 6 necessary life skills, and supports community engagement; and

7 (3) Enrollment in many high schools in the state has been steadily decreasing due to the
 8 COVID-19 pandemic.

9 (b) For purposes of this section, “graduate athlete” means an individual who:

10 (1) Was enrolled as a 12th-grade student in a high school in this state during the 2020-
 11 2021 school year;

12 (2) Graduated from the high school in 2021; and

13 (3) Was eligible to participate in an interscholastic sport at the high school level at a West
 14 Virginia Secondary School Activities Commission member school during the 2020-2021 school
 15 year.

16 (c) Notwithstanding any other provision of this article, or the rules of the West Virginia
 17 Secondary School Activities Commission, the commission shall consider a graduate athlete as

18 eligible for participation in interscholastic athletic events and other extracurricular activities of
19 secondary schools for the 2021-2022 school year.

20 (d) The West Virginia State Board of Education shall waive the following eligibility
21 requirements for participation in interscholastic athletics at the high school level under the
22 commission's rules for graduate athletes for the 2021-2022 school year only:

23 (1) Enrollment and attendance at a West Virginia Secondary School Activities Commission
24 member school;

25 (2) Academic progress requirements;

26 (3) Age restrictions; and

27 (4) Graduate eligibility restrictions.

28 (e) A graduate student may only participate in an interscholastic athletic program of the
29 high school from which the graduate athlete graduated.

30 (f) A graduate athlete may also be enrolled at an institution of higher education while
31 participating in an interscholastic athletic program under this section.

NOTE: The purpose of this bill is to permit graduate athletes to participate in interscholastic athletic events during the 2021-2022 school during to the COVID-19 pandemic.

Strike-throughs indicate language that would be stricken from a heading or the present law, and underscoring indicates new language that would be added.