WEST virginia legislature

2022 regular session

Committee Substitute

for

Senate Bill 586

By Senator Weld

[Originating in the Committee on Education; reported on February 18, 2022]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-25e, relating to allowing students to transfer schools and retain their athletic eligibility one time during a student’s four years of secondary school.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. STATE BOARD OF EDUCATION.

§18-2-25e. Athletic eligibility of transfer students.

(a) The West Virginia Secondary School Activities Commission shall modify its rule, prior to the 2022-2023 school year, to allow students to transfer schools and retain athletic eligibility one time during a student’s four years of secondary school, inclusive of grades nine through 12. The West Virginia Secondary School Activities Commission may promulgate an emergency rule if necessary to modify its rule prior to the 2022-2023 school year.

(b) The State Board of Education, in its review and approval of West Virginia Secondary School Activities Commission’s rule described in this section, shall ensure that the rule modification achieves the intent of this section to not require a student to undergo one year of athletic ineligibility if the student transfers secondary schools after the student’s ninth grade year.

(c) Nothing in this section is intended to limit or restrict:

(1) A student’s ability to transfer back to the student’s residential district and participate in athletics as currently permitted by the West Virginia Secondary School Activities Commission’s rules; or

(2) The West Virginia Secondary School Activities Commission’s ability to make eligibility determinations on a case-by-case basis when warranted by a student’s circumstances in accordance with the West Virginia Secondary School Activities Commission’s rules.