

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]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §18-2-25e, relating to allowing students to transfer schools and retain their
3 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.

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

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

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

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

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