WEST virginia legislature

2024 regular session

Introduced

Senate Bill 867

By Senators Nelson, Rucker, and Hamilton

[Introduced February 19, 2024; referred  
 to the Committee on Education]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §18-2-25f, relating to allowing students to participate in non-school activities.

Be it enacted by the Legislature of West Virginia:

**ARTICLE 2. STATE BOARD OF EDUCATION.**

**§18-2-25f. Participation in non-school activities.**

(a) *Legislative Intent*- The Legislature of West Virginia makes the following findings:

(1) While participation in school sponsored extracurricular sports is a voluntary opportunity, no student-athlete should be deprived of additional opportunities to advance or showcase their skills purely because they are playing for a school sports team.

(2) Prohibiting a student-athlete from participating in non-school sponsored events or activities as condition for participation on a school-sponsored team is unlawfully arbitrary and is not rationally related to a state purpose.

(b) A county board of education and the West Virginia Secondary School Activities Commission shall not restrict or prohibit a student from competing in non-school events or participating on non-school competitive teams as a condition of playing for the same school extracurricular activity or sport.

NOTE: The purpose of this bill is to allow student-athletes to participate in competitive events and activities while playing for their school.

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