

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Engrossed

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; requiring
4 West Virginia Secondary School Activities Commission to modify its rule; authorizing
5 emergency rule; requiring State Board of Education to ensure rule does not require
6 student to undergo one year of athletic ineligibility upon transfer after ninth grade; and
7 clarifying effect on multiple transfers for certain reasons.

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 the West Virginia
7 Secondary School Activities Commission's rule described in this section, shall ensure that the
8 rule modification achieves the intent of this section to not require a student to undergo one year
9 of athletic ineligibility if the student transfers secondary schools during or after the student's ninth
10 grade year.

11 (c) Nothing in this section is intended to limit or restrict a student transferring more than
12 one time for the following reasons:

13 (1) A student transferring back to the student's residential district and participating in
14 athletics as currently permitted by the West Virginia Secondary School Activities Commission's
15 rules;

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

19 (3) For any other reason permitted under the rules of the West Virginia Secondary School
20 Activities Commission.