

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **House Bill 4181**

By Delegate Statler

[Introduced January 14, 2026; referred to the  
Committee on Education]

1 A BILL to amend and reenact §18-2-25 of the Code of West Virginia, 1931, as amended, relating to  
 2 forbidding the West Virginia Secondary School Activities Commission from taking any  
 3 adverse action against middle or high school student athletes who participate in travel  
 4 sports.

*Be it enacted by the Legislature of West Virginia:*

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

**§18-2-25. Authority of county boards to regulate athletic and other extracurricular activities of secondary schools; delegation of authority to West Virginia Secondary School Activities Commission; authority of commission; approval of rules by state board; incorporation; funds; participation by private and parochial schools and by home-schooled students and participants in the Hope Scholarship Program or in a Microschool or Learning Pod.**

1 (a) The county boards of education shall exercise the control, supervision, and regulation  
 2 of all interscholastic athletic events, and other extracurricular activities of the students in public  
 3 secondary schools, and of those schools of their respective counties. The county board of  
 4 education may delegate control, supervision, and regulation of interscholastic athletic events and  
 5 band activities to the West Virginia Secondary School Activities Commission.

6 (b) The West Virginia Secondary School Activities Commission is composed of the  
 7 principals, or their representatives, of those secondary schools whose county boards of education  
 8 have certified in writing to the State Superintendent of Schools that they have elected to delegate  
 9 the control, supervision, and regulation of their interscholastic athletic events and band activities of  
 10 the students in the public secondary schools in their respective counties to the commission. The  
 11 West Virginia Secondary School Activities Commission may exercise the control, supervision, and  
 12 regulation of interscholastic athletic events and band activities of secondary schools, delegated to  
 13 it pursuant to this section. The rules of the West Virginia Secondary School Activities Commission  
 14 shall contain a provision for a proper review procedure and review board and be promulgated in

15 accordance with the provisions of §29A-1-1 *et seq.* of this code, but shall, in all instances, be  
16 subject to the prior approval of the state board. The West Virginia Secondary School Activities  
17 Commission, may, with the consent of the State Board of Education, incorporate under the name  
18 of West Virginia Secondary School Activities Commission, Inc., as a nonprofit, nonstock  
19 corporation under the provisions of §31-1-1 *et seq.* of this code. County boards of education may  
20 expend moneys for and pay dues to the West Virginia Secondary School Activities Commission,  
21 and all moneys paid to the commission, as well as moneys derived from any contest or other event  
22 sponsored by the commission, are quasi-public funds as defined in §18-5-1 *et seq.* of this code,  
23 and the funds of the commission are subject to an annual audit by the State Tax Commissioner.

24 (c) The West Virginia Secondary School Activities Commission shall promulgate  
25 reasonable rules providing for the control, supervision, and regulation of the interscholastic  
26 athletic events and other extracurricular activities of private and parochial secondary schools as  
27 elect to delegate to the commission control, supervision, and regulation, upon the same terms and  
28 conditions, subject to the same rules and requirements and upon the payment of the same fees  
29 and charges as those provided for public secondary schools. Any such private or parochial  
30 secondary school shall receive any monetary or other benefits in the same manner and in the  
31 same proportion as any public secondary school.

32 (d) Notwithstanding any other provision of this section, or the commission's rules, the  
33 commission shall consider eligible for participation in interscholastic athletic events and other  
34 extracurricular activities of secondary schools a student who is receiving home instruction  
35 pursuant to §18-8-1(c) of this code, is a participant in the Hope Scholarship Program, pursuant to  
36 §18-8-1(m) of this code and as provided for in §18-31-1, *et seq.* of this code, or participates in a  
37 microschool or learning pod, pursuant to §18-8-1(n) of this code, and who:

38 (1) Has demonstrated satisfactory evidence of academic progress for each year in  
39 compliance with the provisions of that subsection: *Provided*, That the student's average test  
40 results are within or above the fourth stanine in all subject areas;

41 (2) Has not reached the age of 19 by August 1 of the current school year;

42 (3) Is an amateur who receives no compensation but participates solely for the  
43 educational, physical, mental, and social benefits of the activity;

44 (4) Agrees to comply with all disciplinary rules of the West Virginia Secondary School  
45 Activities Commission and the county board in which the student lives; and

46 (5) Agrees to obey all rules of the West Virginia Secondary School Activities Commission  
47 governing awards, all-star games, parental consents, physical examinations, and vaccinations  
48 applicable to all high school athletes.

49 Eligibility is limited to participation in interscholastic athletic events and other  
50 extracurricular activities at the public secondary school serving the attendance zone in which the  
51 student lives: *Provided*, That students who leave a school during the school year are subject to the  
52 same transfer protocols that apply to member-to-member transfers. Reasonable fees may be  
53 charged to the student to cover the costs of participation in interscholastic athletic events and  
54 other extracurricular activities.

55 (e) Students enrolled in a private school shall be eligible to participate in extracurricular  
56 activities at the public secondary school serving the attendance zone in which the student lives if  
57 the extracurricular activity is not offered at the student's private school: *Provided*, The student  
58 meets the requirements of subsection (d)(4) and (d)(5) of this section: *Provided*, however, That  
59 elementary and middle school students enrolled in any private, parochial or church school or  
60 school of a religious order or other nonpublic school who have played against at least two public  
61 schools during the previous regular athletic season shall be eligible to participate in county athletic  
62 tournaments held at the end of the athletic season, except for invitational tournaments.

63 (f) The West Virginia Secondary School Activities Commission shall not take any adverse  
64 action, nor prohibit, any middle or high school student athletes who participate in travel sports, and  
65 shall not engage in any discriminatory actions against those students: *Provided*, That student  
66 athletes who participate in athletics at their school shall give that program deference if scheduling

67 conflicts arise between the public school program and the travel ball program.

68       (f) ~~(g)~~ The West Virginia Secondary School Activities Commission shall recognize  
69 preparatory athletic programs, whose participants attend a secondary school in West Virginia for  
70 academic instruction, as nonparticipating members of the commission solely for the purpose of  
71 competing on the national level: *Provided*, That the preparatory athletic program shall pay the  
72 same fees as member schools. Such recognition does not entitle the preparatory athletic program  
73 to compete against a member school during the regular season or in any commission state  
74 championship events. The commission may promulgate an emergency rule pursuant to  
75 subsection (b) of this section, if necessary, to carry out the intent of this subsection.

NOTE: The purpose of this bill is to forbid the West Virginia Secondary School Activities Commission from taking any adverse action against middle or high school student athletes who participate in travel sports.

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