

Agenda Item Details

Meeting	May 03, 2023 - May 2023 Executive Committee
Category	10. Legislation
Subject	10.02 Second-Vote Legislation
Type	Action

B. Second-Vote Legislative Items from the January 31st Executive Committee Meeting:
Each of the following proposals received a simple majority vote in January. To become effective in July, they shall require a two-thirds favorable vote in May.

3. PM 12-3-1 Standing Committees (submitted by Executive Director) – Recommended 31-0 on 1-31-23

Policy 12-3-1 Standing Committees

(6) The Equity and Diversity Committee shall be composed of at least 20 voting members including ~~four~~ division level superintendents, ~~three~~ principals, ~~three~~ athletic/activity directors, ~~three~~ athletic coaches, ~~three~~ citizens (~~one~~ who represents the VPTA and former VHSL student-athletes), ~~two~~ Equity Officers, ~~two~~ members of the General Assembly, and ~~one member of~~ the VSBA.

Rationale: Eliminating a specific number of committee members from each position or role allows more flexibility for bringing in new members or retaining current members serving on the committee.

May Vote:

4. 27-2-5 Coaches Education Requirement (submitted by the Coaches Education Committee) Recommended 31-0 on 1-31-23

27-2-5 Coaches Education Requirement-A VHSL-approved course in principles of coaching and ~~sport first aid~~ is required of all first-time athletic coaches at a VHSL member school and those athletic coaches who are exempted through the VHSL Coaches Rule 27-2- 2 (4). Coaches have two years in which to meet this requirement. Prior to the first practice for all coaches of VHSL fall, winter and spring sports teams, these individuals must take a recognized course providing both education and prevention regarding concussion as it relates to high school activities.

May Vote:

5. 27-2-8 Child Abuse Recognition, CPR, Emergency First Aid and AED Requirement (submitted by the Coaches Education Committee) -- Recommended 31-0 on 1-31-23

27-2-8 Child Abuse Recognition, CPR, Emergency First Aid and AED Requirement-Effective July 1, 2017, consistent with the Code of Virginia requirement of teachers, a All coaches, athletic and activities; are required to complete a child abuse recognition and intervention course that meets Board of Education approved guidelines. ~~School divisions may design their own training or utilize other training opportunities to fulfill this requirement. Verification of such training should be maintained by the school and/or school division's human resources department.~~

~~Additionally, all coaches are required to provide evidence of completion of certification or training in emergency or sports first aid, cardiopulmonary resuscitation (CPR), and the use of automated external defibrillators (AED). The certification or training program must be based on the current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator, such as a program developed by the American Heart Association or the American Red Cross. School divisions may design their own training or utilize other training opportunities to fulfill these requirements.~~

Verification of such training should be maintained by the school and/or school division's human resources department as well as be maintained on the Coaches Education Form.

The certification or training program must be based on the current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator, such as a program developed by the American Heart Association or the American Red Cross.

Rationale: The change in 27-8-2 references the requirement of first aid either sports or emergency.

May Vote:

6. 27-11-6-(3) Sportsmanship (submitted by Executive Director) -- Recommended 31-0 on 1-31-23

27-11-6 (3) ~~If, after review of the facts, including consultation with officials, the principal concludes that the an appeal is warranted, he/she shall contact the principal(s) or designee(s) of the other schools involved and present his/her case. If, after review of the facts, all principals or designees, together with the commissioner of the association responsible for officiating that game, agree the appeal had merit and that because of an error or misapplication of the rules by the officials the ejection was not warranted, it will be sustained and the player reinstated for the next contest. If any two of the three individuals hearing the appeal agree that the appeal has merit but the other does not, the appellant may request a review by the VHSL Executive Director or his designee, who may sustain or deny the appeal based upon review of the facts using all available and appropriate resources. Additionally, if a After review if the two principals believe that a reduction in penalty for a multiple game suspension is warranted they may agree upon that reduction. However, a At no time may this reduction completely eliminate the games suspension completely.~~

Rationale: The edits are meant to clarify the handbook. This is not a policy change.

May Vote:

7. 28B-2-1 Amateur Rule (submitted by the Executive Director) -- Recommended 31-0 on 1-31-23

28B-2-1 AMATEUR RULE-A student who represents a school in an interscholastic sport shall be an amateur in that sport. An amateur athlete is one who engages in athletic competition solely for the physical, mental, social, and pleasure benefits derived therefrom and is not paid to participate in athletics.

28B-2-2 Exception: Accepting a fee for instructing, coaching, supervising or officiating in an organized youth or recreation, playground, or camp activities program shall not jeopardize amateur status.

28B-2-3 Interpretations:

(1) An individual loses amateur status and thus shall not be eligible for interscholastic competition in a particular sport if the individual:

- (a) Uses his or her athletics skill (directly or indirectly) for pay in any form in that sport other than the exceptions cited herein;
- (b) Accepts a promise of pay for participation in that sport even if such pay is to be received following completion of interscholastic athletics participation;
- (c) Signs a contract or commitment of any kind to play professional athletics, regardless of its legal enforceability or any consideration received, in that sport;
- (d) Enters into a professional draft or an agreement with an agent or other entity to negotiate a professional contract in that sport;
- (e) Accepts payment for expenses beyond actual and necessary travel, room and board expenses for practice and competition in that sport;
- (f) Accepts preferential treatment, benefits or services (e.g., loans with deferred pay-back) because of the individual's athletics reputation or skill or pay-back potential as a professional athlete in that sport. An award of a country club or sports club membership is prohibited. Receipt of a benefit by student-athletes or their relatives or friends is not a violation if it is demonstrated that the same benefit is generally available to students or their relatives or friends determined on a basis unrelated to athletics ability;
- (g) Accepts merchandise, prizes or awards having a retail value greater than that permitted by the amateur athletic governing body regulating amateur status in that sport. If that governing body has no limit, the maximum value of merchandise, prizes or awards shall be \$500 per event.
- (h) ~~Received compensation or benefit, directly or indirectly, for the use of name, picture and/or personal appearance, as an athlete in that sport, or provides endorsement, as an athlete in that sport, in the promotion of a commercial or profit-making event, item, plan or service;~~
- (i) Plays in any contest (school or non-school) in that sport under a name other than his/her own name.

(2) Road Racing-"Road racing" is essentially the same as cross country or track competition and cannot be separated effectively from those sports for the purposes of this rule. Therefore, a student-athlete who accepts pay in any form for participation in such a race is ineligible for interscholastic cross country or track competition.

(3) Institutional Fund-Raising Activities involving the Athletics Ability of Student-Athletes-Institutional fund-raising activities that involve the use of athletics ability by student-athletes to obtain funds (e.g., "swim-a-thons") are permitted only if:

- (a) The total money is contributed to the institution; and
- (b) The student-athletes receive no compensation or prizes for their participation.

(4) Scholarships to institutions of higher learning may be accepted provided the amount of the scholarship is paid by the donor(s) directly to the college/institution of choice.

28B-2-4 Name, Image, and Likeness (NIL)

Students may receive compensation for the commercialization of their own name, image and likeness (NIL).

Common NIL activities include, but are not limited to commercials, product endorsements, personal appearances, autograph sessions, merchandise or apparel sales, group licensing, and acting as a social media influencer.

Schools and teams may not use NIL opportunities to incentivize a student's enrollment at a school or membership on a team.

A student may not receive compensation, endorsements or gifts of monetary value for Intellectual Property of the VHSL or any member school. Intellectual Property includes, but is not limited to, a school's district's, region's and VHSL name, uniform, mascot, and logo.

(a) This provision is not intended to restrict the right of any student and their family to engage in NIL activities for financial gain, except as prohibited by this guidance.

(b) Student-athletes are prohibited from engaging in the following while participating in NIL activities.

- Making any reference to a school team, school, district, region or VHSL.
- Appearing in the uniform of the student's school. Students may not utilize the marks, logos, etc. of their school team or any school's team during NIL activities.
- Endorsing or promoting goods or service of any third-party NIL partner during school-based team activities and events, including but not limited to wearing third-party apparel, displaying a third-party logo or brand, and displaying insignia or identifying mark unless it is part of the standard school uniform for that sport.

(c) Students may not engage in any NIL activities involving, displaying or endorsing the following categories of products and services

- Adult entertainment products and services
- Alcohol products
- Tobacco and electronic smoking products and devices
- Opioids and prescription pharmaceuticals
- Controlled dangerous substances
- Casinos and gambling, including sports betting
- Weapons, firearms and ammunition

(d) No school or anyone employed by or affiliated with a member school, including booster clubs, coaches, administrators, alumni or an NIL Collective*, may solicit, arrange, or negotiate compensation for a student's NIL, other than their own child.

*NIL Collective: A group of alumni, supporters parents, or other people who form a corporation, limited liability company, partnership, non-profit organization foundation, or other entity to provide NIL opportunities to student-athletes of a specific school.

Students must notify the Principal or Athletic Director in writing of the student's school upon entering into any type of NIL contract within 72 hours of entering into the contract.

28B-2-4 28B-2-5Penalty: A pupil who has lost his/her amateur standing through violation of this rule shall be ineligible for interscholastic athletic competition. Such student may be reinstated as an amateur by the Executive Committee, provided his/her principal requests in writing his/her reinstatement as an amateur and certifies that the student has not during that one-year period violated this rule, and that the student is not now under contract to, or owned by, any professional athletic organization.

Rationale: In 2021, the U.S. Supreme Court decided that the NCAA's rules limiting education-related benefits for student-athletes violated federal antitrust laws. See *National Collegiate Athletic Association v. Alston*, 141 S.Ct. 2141 (2021). Although the Court's decision applied specifically to NCAA rules, the ruling has generated expansion of name, image, and likeness (NIL) opportunities for high school students nationwide. The Virginia High School League proposing legislation to help guide members, parents, and students and to clarify how student-athletes may engage in NIL activities for financial gain and still retain athletic eligibility under VHSL regulations.

May Vote:

8. PM 55-7-1 Other State Event Related Policy Manual References (submitted by Executive Director) -- Recommended 31-0 on 1-31-22

PM 55-7-1 Other State Event Related Policy Manual References (listed alphabetically):

(1) Admission Prices-Please see the VHSL website for a listing of approved fees.

(a) Children Age 6 and Under-For general admission seats, children age 6 and under may be admitted free if accompanied by a paying adult.

(b) Senior Citizens (3-82)-No discounts are provided for senior citizens.

VHSL Financial Policies and Procedures Manual:

VIRGINIA HIGH SCHOOL LEAGUE STATE TOURNAMENT TICKET PRICES EVENT TICKET PRICES

(Age 6 and under are free for all events when accompanied by an adult) Cash Tickets will be \$12.00/ticket or \$20.00/ticket for wrestling. League office will offer online purchase option for \$10.00/ticket. The goal is to sell all tickets online while accommodating exceptions for walk up sales at state events.

Baseball \$10.00 <u>\$12.00</u> for quarter-final games* #	\$10.00 <u>\$12.00</u> for
semi-final & final games*	
Basketball (Boys and Girls) \$10.00 <u>\$12.00</u> for	\$10.00 <u>\$12.00</u> for
quarter-final games* #	
games at the Siegel Center*	
Cheer \$10.00 <u>\$12.00</u> *	
Cross Country (Boys and Girls) \$10.00 <u>\$12.00</u> * #	
Field Hockey \$10.00 <u>\$12.00</u> for quarter-final	\$10.00 <u>\$12.00</u> for
championship games*	
& semi-final games*#	
Film Festival \$10.00 <u>\$12.00</u> ***	
Football \$10.00 <u>\$12.00</u> for semi-final games #	\$10.00 <u>\$12.00</u> for
championship games	
Golf (site permitting) \$7.00	
Gymnastics \$10.00 <u>\$12.00</u> *	
Indoor Track (Boys and Girls) \$10.00 <u>\$12.00</u>	\$10.00 <u>\$12.00</u> for
Saturday* #	
for Friday**#	
Jubilee \$10.00 <u>\$12.00</u> per day	
Lacrosse (Boys and Girls) \$10.00 <u>\$12.00</u>	\$10.00 <u>\$12.00</u> for
semi-final & final games*	
for quarter-final games*#	
Outdoor Track (Boys and Girls) \$10.00 <u>\$12.00</u>	\$10.00 <u>\$12.00</u> for
Saturday* #	
for Friday#	
Soccer (Boys and Girls) \$10.00 <u>\$12.00</u>	\$10.00 <u>\$12.00</u> for
championship games*	
for quarterfinal and semifinal games*#	
Softball \$10.00 <u>\$12.00</u> for quarter-final games* #	\$10.00 <u>\$12.00</u> for
semi-final & final games*	
Swim and Diving (Boys & Girls) \$10.00 <u>\$12.00</u> *	
Tennis (site permitting) \$10.00 <u>\$12.00</u> *	\$10.00 <u>\$12.00</u> for
championship matches*	
for quarterfinal and semifinal matches*	
Volleyball (Boys and Girls) \$10.00 <u>\$12.00</u>	\$10.00 <u>\$12.00</u> for
semi-final & final games*	
for quarter-final games*#	
Wrestling <u>\$20.00</u> per day.	\$25.00 per book*

* - Fee increases approved by the Executive Committee on May 7, 2008; effective July 1, 2008

** - Fee increases approved by the Executive Committee on May 7, 2009; effective July 1, 2009

- Fee increases approved by the Executive Committee on May 5, 2011; effective July 1, 2011

- Fee approved by the Executive Committee on September 17, 2014; effective beginning with the FY 2015 festival

*** - Change in price approved by the Executive Committee on May 3, 2018; effective immediately

Rationale: The goal is to sell all tickets online while accommodating exceptions for walk up sales at state events.

May Vote:

9. 68-4-1 (3) Football/Film Exchange (Submitted by Executive Director) -- Recommended 31-0 on 1-31-23

68-4-1 (3) Football/Film Exchange – schools advancing to state semifinal or state final games will exchange a minimum of two (*most recent*) game films with the opponent no later than noon Sunday preceding the next postseason game.

Rationale: Provides clarification to schools on film exchange responsibilities.

May Vote:

10. 88-4-3 (5) WRESTLING (Submitted by Executive Director) -- Recommended 31-0 on 1-31-23

88-4-3 (5) Wrestlers must have at least one official competition weigh-in at scratch weight for a weight class and participate that day at that event at that weight class or one weight class above to be eligible for regional tournament participation at the weight class they weighed in at. Forfeit does not count as participation to be eligible for regional tournament. The wrestler cannot use the buffer to get to a weight class earlier than the WCP allows in order to wrestle that weight class in the post season

Rationale: This has been the interpretation for participation, adds language to the handbook and provides clarification to schools.

May Vote:

11. SECTION 113: ORIGINAL ORATORY (Submitted by the Executive Director) -- Recommended 31-0 on 1-31-23

SECTION 113: ORIGINAL ORATORY.

113-3-5 Each speaker shall prepare a manuscript of his/her speech for ~~each round of the competition.~~ ~~Following the completion of the speech in each round~~ At registration, each speaker shall submit a copy of his/her manuscript ~~to a judge who shall submit it~~ upon check-in for submission to the tournament director, ~~who may return it to the speaker.~~ Scripts must also be uploaded on Tabroom.com by the deadline established for registration.

Rationale: Codifies current practice and simplifies process for participants.

May Vote:
