
HOUSE BILL 2853

State of Washington

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By Representatives J. Kohl, Jacobsen, Miller, Heavey, Rasmussen, Brough, Anderson, Valle, Peery, Winsley, Wineberry, Paris, Basich, Wood and Leonard

Read first time 01/29/92. Referred to Committee on Higher Education.

1 AN ACT Relating to gender equity; and amending RCW 28B.15.460 and
2 28B.15.740.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 28B.15.460 and 1989 c 340 s 4 are each amended to read
5 as follows:

6 (1) (~~An institution of higher education~~) A state university,
7 regional university, or state college shall not grant any waivers for
8 the purpose of achieving gender equity until the 1991-92 academic year,
9 and may grant waivers for the purpose of achieving gender equity in
10 intercollegiate athletic programs as authorized in RCW 28B.15.740, for
11 the 1991-92 academic year only if the institution's governing board has
12 adopted a plan for complying with the provisions of RCW 28B.15.455 and
13 submitted the plan to the higher education coordinating board.

1 Community colleges shall comply with this subsection by the 1992-93
2 academic year.

3 (2) Beginning in the 1992-93 academic year, (~~(an institution of~~
4 ~~higher education)) a state university, regional university, or state
5 college shall not grant any waiver for the purpose of achieving gender
6 equity in intercollegiate athletic programs as authorized in RCW
7 28B.15.740 unless the institution's plan has been approved by the
8 higher education coordinating board. Community colleges shall comply
9 with this subsection by the 1993-94 academic year.~~

10 (3) The plan shall include, but not be limited to:

11 (a) For any (~~institution~~) state university, regional university,
12 or state college with an underrepresented gender class, provisions that
13 ensure that by July 1, 1994, the institution shall provide athletic
14 opportunities for the underrepresented gender class at a rate that
15 meets or exceeds the rate at which that class participates in high
16 school interscholastic athletics in Washington state not to exceed the
17 point at which the underrepresented gender class is no longer
18 underrepresented;

19 (b) Activities to be undertaken by the institution to increase
20 participation rates of any underrepresented gender class in
21 interscholastic and intercollegiate athletics. These activities may
22 include, but are not limited to: Sponsoring equity conferences,
23 coaches clinics and sports clinics; and taking a leadership role in
24 working with athletic conferences to reduce barriers to participation
25 by those gender classes in interscholastic and intercollegiate
26 athletics;

27 (c) An identification of barriers to achieving and maintaining
28 equitable intercollegiate athletic opportunities for men and women; and

29 (d) Measures to achieve institutional compliance with the
30 provisions of RCW 28B.15.455.

1 Community colleges shall comply with this subsection (3) by July 1,
2 1995.

3 **Sec. 2.** RCW 28B.15.740 and 1989 c 340 s 2 are each amended to read
4 as follows:

5 (1) The boards of trustees or regents of each of the state's
6 regional universities, The Evergreen State College, or state
7 universities, and the various community colleges, consistent with
8 regulations and procedures established by the state board for community
9 and technical colleges (~~(education)~~), may waive, in whole or in part,
10 tuition and services and activities fees subject to the limitations set
11 forth in subsections (2) and (3).

12 (2) Except as provided in subsection (3) of this section, the total
13 dollar amount of tuition and fee waivers awarded by any state
14 university, regional university, or state college, shall not exceed
15 four percent, and for the community colleges considered as a whole,
16 such amount shall not exceed three percent of an amount determined by
17 estimating the total collections from tuition and services and
18 activities fees had no such waivers been made and deducting the portion
19 of that total amount which is attributable to the difference between
20 resident and nonresident fees: PROVIDED, That at least three-fourths
21 of the dollars waived shall be for needy students who are eligible for
22 resident tuition and fee rates pursuant to RCW 28B.15.012 through
23 28B.15.015: PROVIDED FURTHER, That the remainder of the dollars
24 waived, not to exceed one-fourth of the total, may be applied to other
25 students at the discretion of the board of trustees or regents, except
26 on the basis of participation in intercollegiate athletic programs:
27 PROVIDED FURTHER, That the waivers for undergraduate and graduate
28 students of foreign nations under RCW 28B.15.556 are not subject to the
29 limitation under this section.

1 (3) In addition to the tuition and fee waivers provided in
2 subsection (2) of this section and subject to the provisions of RCW
3 28B.15.455 and 28B.15.460, a total dollar amount of tuition and fee
4 waivers awarded by any state university, regional university, ~~((or))~~
5 state college, or community college, not to exceed one percent, as
6 calculated in subsection (2) of this section, may be used for the
7 purpose of achieving or maintaining gender equity in intercollegiate
8 athletic programs. At any institution that has an underrepresented
9 gender class in intercollegiate athletics, any such waivers shall be
10 awarded:

11 (a) First, to members of the underrepresented gender class who
12 participate in intercollegiate athletics, where such waivers result in
13 saved or displaced money that can be used for athletic programs for the
14 underrepresented gender class. Such saved or displaced money shall be
15 used for programs for the underrepresented gender class; and

16 (b) Second, (i) to nonmembers of the underrepresented gender class
17 who participate in intercollegiate athletics, where such waivers result
18 in saved or displaced money that can be used for athletic programs for
19 members of the underrepresented gender class. Such saved or displaced
20 money shall be used for programs for the underrepresented gender class;
21 or (ii) to members of the underrepresented gender class who participate
22 in intercollegiate athletics, where such waivers do not result in any
23 saved or displaced money that can be used for athletic programs for
24 members of the underrepresented gender class.