

FINAL BILL REPORT

ESSB 5967

C 467 L 09
Synopsis as Enacted

Brief Description: Prohibiting unfair practices in public community athletics programs by prohibiting discrimination on the basis of sex.

Sponsors: Senate Committee on Government Operations & Elections (originally sponsored by Senators Kohl-Welles, Fairley, Fraser, McAuliffe and Kline).

Senate Committee on Government Operations & Elections
House Committee on Judiciary

Background: Title IX of the Education Amendments of 1972 is a federal statute created to prohibit sex discrimination in education programs that receive federal financial assistance. Nearly every educational institution is a recipient of federal funds, and therefore is required to comply with Title IX.

In 1975 Washington adopted its own Title IX legislation in RCW 28A.640.010, which prohibits inequality in the educational opportunities afforded women and girls at all levels of public schools in Washington State.

Currently, Washington law does not extend the protection of Title IX to opportunities in community athletic programs.

Summary: No city, town, county, or district may discriminate against any person in a community athletics program on the basis of sex. "Community athletics program" means any athletic program that is organized for the purposes of training for and engaging in athletic activity and competition that is in any way operated, conducted, administered, or supported by local governments and districts, other than those created solely for the students of a school.

A third party receiving a lease or permit for a community athletics program from one of these entities or from a school district also may not discriminate against any person on the basis of sex in the operation, conduct, or administration of the program.

The nondiscrimination policy must be adopted by January 1, 2010, and must be published and disseminated. At a minimum, it should be included in any publication that contains

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information about the program or information about obtaining a permit to operate a program. The policy must also be published on the appropriate entity's website.

School districts issuing permission to a third party for the operation of a community athletics program on its facilities must also follow these requirements, but may use and modify existing school policies to the extent possible. School districts are not required to monitor compliance, investigate complaints, or otherwise enforce school district policies as to third parties using school district facilities.

Every entity covered by this act must publish the name, office address, and office telephone number of any employee responsible for carrying out compliance with this act.

Votes on Final Passage:

Senate	41	4	
House	67	31	(House amended)
Senate	44	3	(Senate concurred)

Effective: July 26, 2009