

SSB 6383 - S AMD 87

By Senators Benton, Pridemore, Kilmer

ADOPTED 02/11/2012

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that the mission of
4 the Washington interscholastic activities association is to assist
5 member schools in operating student programs that foster achievement,
6 respect, equity, enthusiasm, and excellence in a safe and organized
7 environment. The legislature intends to ensure that this mission is
8 successfully carried out so that arbitrary sanctions that result in
9 students unfairly being denied to participate or cause students'
10 achievements to be diminished do not occur. It is the intent of the
11 legislature to impact the association's current processes for
12 establishing penalties for rules violations and to redefine the scope
13 of penalties that are permitted to be imposed. It is further the
14 intent of the legislature to build protections into state law so that
15 punishment, when necessary, is meted out to the appropriate party and
16 in a proportional manner. The legislature further intends to ensure
17 that state and local rules relating to interschool extracurricular
18 activities be consistent with one another, promote fairness, and allow
19 for a clear process of appeal.

20 **Sec. 2.** RCW 28A.600.200 and 2006 c 263 s 904 are each amended to
21 read as follows:

22 Each school district board of directors is hereby granted and shall
23 exercise the authority to control, supervise and regulate the conduct
24 of interschool athletic activities and other interschool
25 extracurricular activities of an athletic, cultural, social or
26 recreational nature for students of the district. A board of directors
27 may delegate control, supervision and regulation of any such activity
28 to the Washington interscholastic activities association or any other

1 voluntary nonprofit entity and compensate such entity for services
2 provided, subject to the following conditions:

3 (1) The voluntary nonprofit entity shall not discriminate in
4 connection with employment or membership upon its governing board, or
5 otherwise in connection with any function it performs, on the basis of
6 race, creed, national origin, sex or marital status;

7 (2)(a) Any rules and policies adopted and applied by the voluntary
8 nonprofit entity (~~which~~) that governs student participation in any
9 interschool activity shall be written; and

10 (~~(+3)~~) (b) Such rules and policies shall provide for notice of the
11 reasons and a fair opportunity to contest such reasons prior to a final
12 determination to reject a student's request to participate in or to
13 continue in an interschool activity.

14 (3)(a) The association or other voluntary nonprofit entity is
15 authorized to impose penalties for rules violations upon coaches,
16 school district administrators, school administrators, and students, as
17 appropriate, to punish the offending party or parties;

18 (b) No penalty may be imposed on a student or students unless the
19 student or students knowingly violated the rules or unless a student
20 gained a significant competitive advantage or materially disadvantaged
21 another student through a rule violation;

22 (c) Any penalty that is imposed for rules violations must be
23 proportional to the offense;

24 (d) Any (~~such~~) decision resulting in a penalty shall be
25 considered a decision of the school district conducting the activity in
26 which the student seeks to participate or was participating and may be
27 appealed pursuant to RCW 28A.600.205 and 28A.645.010 through
28 28A.645.030.

29 (4) The school districts, Washington interscholastic activities
30 association districts, and leagues that participate in the interschool
31 extracurricular activities shall not impose more severe penalties for
32 rule violations than can be imposed by the rules of the association or
33 the voluntary nonprofit entity.

34 (5) As used in this section and RCW 28A.600.205, "knowingly" means
35 having actual knowledge of or acting with deliberate ignorance or
36 reckless disregard for the prohibition involved.

1 **Sec. 3.** RCW 28A.600.205 and 2006 c 263 s 905 are each amended to
2 read as follows:

3 (~~By July 1, 2006,~~) (1)(a) The Washington interscholastic
4 activities association shall establish a nine-person appeals committee
5 to address appeals of noneligibility issues. The committee shall be
6 comprised of the secretary from each of the activity districts of the
7 Washington interscholastic activities association. The committee shall
8 begin hearing appeals by July 1, 2006. No committee member may
9 participate in the appeal process if the member was involved in the
10 activity that was the basis of the appeal.

11 (b) Any penalty or sanction that is imposed or upheld by the
12 appeals committee must be proportional to the offense and must be
13 imposed upon only the offending individual or individuals, including
14 coaches, school district administrators, school administrators, and
15 students. However, only the Washington interscholastic activities
16 association executive board has the authority to remove a team from
17 postseason competition. Should a school violate a Washington
18 interscholastic activities association rule, that violation does not
19 automatically remove that school's team from postseason competition.
20 Penalties levied against coaches and school programs must be considered
21 before removing a team from postseason competition. Removal of a team
22 from postseason competition must be the last option.

23 (2)(a) A decision of the appeals committee may be appealed to the
24 executive board of the association. If a matter is appealed to the
25 executive board, then the board shall conduct a de novo review of the
26 matter before making a decision.

27 (b) Any penalty or sanction that is imposed or upheld by the
28 executive board must be proportional to the offense and must be imposed
29 upon only the offending individual or individuals including coaches,
30 school district administrators, school administrators, or students.
31 However, only the Washington interscholastic activities association
32 executive board has the authority to remove a team from postseason
33 competition. Should a school violate a Washington interscholastic
34 activities association rule, that violation does not automatically
35 remove that school's team from postseason competition. Penalties
36 levied against coaches and school programs must be considered before
37 removing a team from postseason competition. Removal of a team from
38 postseason competition must be the last option.

result of a rules violation, the student or students gained a significant competitive advantage or materially disadvantaged another student.

Removal of a team from postseason competition must be the last option taken.

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