

SENATE BILL REPORT

ESSB 6383

As Amended by House, February 29, 2012

Title: An act relating to the Washington interscholastic activities association.

Brief Description: Regarding Washington interscholastic activities association penalties.

Sponsors: Senate Committee on Government Operations, Tribal Relations & Elections (originally sponsored by Senators Benton, Eide, Schoesler, Kohl-Welles, Chase, Padden, Stevens, Hobbs, Pflug, Hargrove, Harper, McAuliffe, Prentice, Shin, Fraser, Fain, Hill, Baumgartner, Nelson, Swecker, Holmquist Newbry, Kline, Hatfield, Becker, Conway, Hewitt, King, Parlette, Ranker, Litzow, Zarelli, Ericksen, Morton and Honeyford).

Brief History:

Committee Activity: Government Operations, Tribal Relations & Elections: 1/26/12, 1/30/12 [DPS].

Passed Senate: 2/11/12, 45-1.

Passed House: 2/29/12, 67-31.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS, TRIBAL RELATIONS & ELECTIONS

Majority Report: That Substitute Senate Bill No. 6383 be substituted therefor, and the substitute bill do pass.

Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker, Ranking Minority Member; Benton, Chase, Nelson and Roach.

Staff: Sharon Swanson (786-7447)

Background: The Washington Interscholastic Activities Association (WIAA) is a private, nonprofit service organization and rule-making body that was formed in 1905 to create equitable playing conditions between high school sports teams in Washington. The WIAA consists of nearly 800 member high schools and middle/junior high schools, both public and private, and is divided into nine geographic service districts. The WIAA staff administers WIAA policies, rules and regulations and provides other assistance and service to member schools.

The WIAA oversees athletics and fine arts in Washington State and hosts 83 WIAA state championship events.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The WIAA does not receive any funding from tax dollars nor does it receive any financial support from the state. The WIAA is funded primarily through ticket sales for state tournaments and other events. Additional funding is derived from sponsorships, membership fees, and a percentage of merchandise sales and other items.

The purpose of the WIAA is to plan supervise and administer the interscholastic activities approved and delegated by school districts' board of directors.

Summary of Engrossed Substitute Bill: The WIAA or other voluntary nonprofit entity is authorized to impose penalties for rule violations upon coaches, school district administrators, school administrations, and students, as appropriate, to punish the offending party or parties.

No penalty may be imposed on a student or students unless the a student or students knowingly violated the rules or unless a student gained a significant competitive advantage or materially disadvantaged another student through a rule violation.

Any penalty that is imposed for rule violations must be proportional to the offense.

Any decision resulting in a penalty must be considered a decision of the school district conducting the activity in which the student seeks to participate or was participating and may be appealed.

The school districts, the WIAA districts, and leagues that participate in the interschool extracurricular activities must not impose more severe penalties for rule violations than can be imposed by the rules of the WIAA or the voluntary nonprofit entity.

Any penalty that is imposed by the WIAA Appeals Committee must be proportional to the offense and must be imposed upon only the offending individual or individuals, including coaches, school district administrators, school administrations, and students.

If a matter is appealed to the executive board of the WIAA (executive board), the executive board must conduct a de novo review of the matter before making a decision. Any penalty or sanction that is imposed by the executive board must be proportional to the offense and must be imposed upon only the offending individual or individuals. Should a school violate a WIAA rule, that violation does not automatically remove the school's team from post-season competition. Penalties levied against coaches and school programs must be considered before removing a team from post-season competition. Removal of a team from post-season competition must be the last option. If a rule violation is reported ten days prior to post-season play, the only review must be conducted by the executive board so that a decision can be rendered in a timely manner. The executive board must take all possible actions to render a decision prior to the beginning of post-season play.

A decision of the executive board may be appealed to superior court.

The WIAA is required to develop model rules regarding a rules violation punishment grid that is modeled after the state sentencing guidelines. The rules shall outline appropriate

degrees of punishment correlated with the severity of a violation of the rules. The WIAA is required to present their model rules to the Legislature no later than December 30, 2012.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Student athletes who are dedicated to their sport should not be penalized by having a winning season taken away or being banned from post-season play. This has happened many times in our state because the WIAA has limited discretion in how they impose penalties against schools, coaches, and in some instances, student athletes. This bill provides for sanction to be proportional to violations and to only enforce a sanction against a student if the student commits a knowing violation of a rule.

OTHER: There have been unintended consequences towards students and sports teams in the past. The WIAA is neutral on this legislation, and we welcome the continued discussion with the prime sponsor to perfect the bill.

Persons Testifying: PRO: Senator Benton, prime sponsor; Yoshe Revelle, citizen.

OTHER: Mike Colbrese, WIAA.

House Amendment(s): Removes the provision that states a decision of the WIAA Executive Board may be appealed to superior court. Removes the section that requires the WIAA to develop model rules regarding a rules violation punishment grid and present the model rules to the Legislature.