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SENATE BILL 6383

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State of Washington

62nd Legislature

2012 Regular Session

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

Read first time 01/19/12. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to the Washington interscholastic activities  
2 association; amending RCW 28A.600.200 and 28A.600.205; and creating a  
3 new section.

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

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

1 that state and local rules relating to interschool extracurricular  
2 activities be consistent with one another, promote fairness, and allow  
3 for a clear process of appeal.

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

6 Each school district board of directors is hereby granted and shall  
7 exercise the authority to control, supervise and regulate the conduct  
8 of interschool athletic activities and other interschool  
9 extracurricular activities of an athletic, cultural, social or  
10 recreational nature for students of the district. A board of directors  
11 may delegate control, supervision and regulation of any such activity  
12 to the Washington interscholastic activities association or any other  
13 voluntary nonprofit entity and compensate such entity for services  
14 provided, subject to the following conditions:

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

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

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

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

30 (b) No penalty may be imposed on a student or students when no  
31 intentional actions were taken by a student or students to violate the  
32 rules;

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

35 (d) Any (~~such~~) decision resulting in a penalty shall be  
36 considered a decision of the school district conducting the activity in

1 which the student seeks to participate or was participating and may be  
2 appealed pursuant to RCW 28A.600.205 and 28A.645.010 through  
3 28A.645.030.

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

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

11 ~~((By July 1, 2006,))~~ (1)(a) The Washington interscholastic  
12 activities association shall establish a nine-person appeals committee  
13 to address appeals of noneligibility issues. The committee shall be  
14 comprised of the secretary from each of the activity districts of the  
15 Washington interscholastic activities association. The committee shall  
16 begin hearing appeals by July 1, 2006. No committee member may  
17 participate in the appeal process if the member was involved in the  
18 activity that was the basis of the appeal.

19 (b) Any penalty that is imposed by the appeals committee must be  
20 proportional to the offense and must be imposed upon only the offending  
21 individual or individuals, including coaches, school district  
22 administrators, school administrators, and students. However, no  
23 punishment may be imposed on a student or students when no intentional  
24 actions were taken by a student or students to violate the rules.

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

29 (b) Any penalty or sanction that is imposed by the executive board  
30 must be proportional to the offense and must be imposed upon only the  
31 offending individual or individuals including coaches, school district  
32 administrators, school administrators, or students. However, no  
33 punishment may be imposed on a student or students when no intentional  
34 actions were taken by a student or students to violate the rules.

35 (c) If a rule violation is reported to the association within ten  
36 days of the relevant state championship, then the only review shall be  
37 conducted by the executive board of the association so that a decision

1 can be rendered in a timely matter. The executive board must take all  
2 possible actions to render a decision before the championship takes  
3 place.

4 (3) A decision of the executive board of the association may be  
5 appealed to superior court pursuant to RCW 28A.645.010 through  
6 28A.645.030.

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