

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 6383

62nd Legislature
2012 Regular Session

Passed by the Senate March 8, 2012
YEAS 47 NAYS 1

President of the Senate

Passed by the House February 29, 2012
YEAS 67 NAYS 31

Speaker of the House of Representatives

Approved

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 6383** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 6383

AS AMENDED BY THE HOUSE

Passed Legislature - 2012 Regular Session

State of Washington

62nd Legislature

2012 Regular Session

By Senate 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)

READ FIRST TIME 01/31/12.

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

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 unless the
31 student or students knowingly violated the rules or unless a student
32 gained a significant competitive advantage or materially disadvantaged
33 another student through a rule violation;

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

36 (d) Any (~~such~~) decision resulting in a penalty shall be
37 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 (5) As used in this section and RCW 28A.600.205, "knowingly" means
10 having actual knowledge of or acting with deliberate ignorance or
11 reckless disregard for the prohibition involved.

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

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

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

34 (2)(a) A decision of the appeals committee may be appealed to the
35 executive board of the association. If a matter is appealed to the
36 executive board, then the board shall conduct a de novo review of the
37 matter before making a decision.

1 (b) Any penalty or sanction that is imposed or upheld by the
2 executive board must be proportional to the offense and must be imposed
3 upon only the offending individual or individuals including coaches,
4 school district administrators, school administrators, or students.
5 However, only the Washington interscholastic activities association
6 executive board has the authority to remove a team from postseason
7 competition. Should a school violate a Washington interscholastic
8 activities association rule, that violation does not automatically
9 remove that school's team from postseason competition. Penalties
10 levied against coaches and school programs must be considered before
11 removing a team from postseason competition. Removal of a team from
12 postseason competition must be the last option.

13 (c) If a rule violation is reported to the association within ten
14 days of the relevant postseason play, then the only review shall be
15 conducted by the executive board of the Washington interscholastic
16 activities association so that a decision can be rendered in a timely
17 manner. The executive board must take all possible actions to render
18 a decision before the postseason play takes place.

19 NEW SECTION. Sec. 4. This act may be known and cited as the
20 Knight act.

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