
HOUSE BILL 2538

State of Washington

63rd Legislature

2014 Regular Session

By Representatives Appleton, Haigh, and S. Hunt

Read first time 01/20/14. Referred to Committee on Community Development, Housing & Tribal Affairs.

1 AN ACT Relating to the eligibility of tribal students to
2 participate in interschool extracurricular activities; and amending RCW
3 28A.600.200.

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

5 **Sec. 1.** RCW 28A.600.200 and 2012 c 155 s 2 are each amended to
6 read as follows:

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

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

1 (2)(a) Any rules and policies adopted and applied by the voluntary
2 nonprofit entity that governs student participation in any interschool
3 activity shall be written; and

4 (b) Such rules and policies shall provide for notice of the reasons
5 and a fair opportunity to contest such reasons prior to a final
6 determination to reject a student's request to participate in or to
7 continue in an interschool activity.

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

12 (b) No penalty may be imposed on a student or students unless the
13 student or students knowingly violated the rules or unless a student
14 gained a significant competitive advantage or materially disadvantaged
15 another student through a rule violation;

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

18 (d) Any decision resulting in a penalty shall be considered a
19 decision of the school district conducting the activity in which the
20 student seeks to participate or was participating and may be appealed
21 pursuant to RCW 28A.600.205 and 28A.645.010 through 28A.645.030.

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

27 (5) The association or other voluntary nonprofit entity that has
28 adopted a rule or policy that requires a transferring student to be
29 enrolled in a school for any period of time before becoming eligible to
30 participate in any extracurricular activity may not enforce that rule
31 on a student, if the student is:

32 (a) A member of a federally recognized tribe;

33 (b) Transferring between schools that are both located within the
34 exterior boundaries of a reservation of a federally recognized tribe;
35 and

36 (c) Transferring at the beginning of the school year.

37 (6) As used in this section and RCW 28A.600.205, "knowingly" means

1 having actual knowledge of or acting with deliberate ignorance or
2 reckless disregard for the prohibition involved.

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