

HOUSE BILL REPORT

ESHB 2311

As Passed House:
January 31, 2018

Title: An act relating to reducing barriers to student participation in extracurricular activities.

Brief Description: Reducing barriers to student participation in extracurricular activities.

Sponsors: House Committee on Education (originally sponsored by Representatives Bergquist, Harris, Hudgins, Tarleton, Slatter, Haler, Reeves, Doglio, Muri, Graves and Young).

Brief History:

Committee Activity:

Education: 1/11/18, 1/18/18 [DPS].

Floor Activity:

Passed House: 1/31/18, 62-32.

Brief Summary of Engrossed Substitute Bill

- Limits the fees charged to certain public and private school students for student identification cards and participation in extracurricular activities and career and technical student organizations.
- Requires school districts and private schools to communicate the fee limits widely, effectively, and frequently.
- Creates a grant program to subsidize small school districts unduly impacted by the student identification card limits.
- Limits the frequency of physical examinations required for participation in extracurricular activities.

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 19 members: Representatives Santos, Chair; Dolan, Vice Chair; Stonier, Vice Chair; Harris, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Bergquist, Caldier, Hargrove, Johnson, Kilduff, Lovick, McCaslin, Ortiz-Self, Senn, Slatter, Steele, Stokesbary, Valdez and Volz.

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.

Staff: Megan Wargacki (786-7194).

Background:

Washington Interscholastic Activities Association.

Each school district board of directors has statutory authority to control, supervise, and regulate the conduct of interscholastic athletic and extracurricular activities for students of the district. The school board also has the authority to delegate its control, supervision, and regulation to the Washington Interscholastic Activities Association (WIAA) or any other voluntary nonprofit entity. The WIAA is a nonprofit 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 high schools and middle/junior high schools, both public and private, that have volunteered to abide by the policies established by the WIAA.

The following activities are governed by the WIAA: baseball, basketball, girls bowling, cheerleading, cross country, dance/drill, football, forensics/debate, golf, girls gymnastics, music, soccer, girls softball, swimming/diving, tennis, theater/drama, track & field, girls volleyball, and wrestling.

Extracurricular Activities Fees.

Each school district board of directors has statutory authority to establish and collect attendance fees for optional noncredit extracurricular activity events. However, districts are required to waive or reduce these fees for students whose families would have difficulty paying the entire amount of the fee. The school board may also establish and collect an optional comprehensive fee for attendance at one or more events.

Free and Reduced Price Meals.

In order for students to qualify for free school meals, their family's income must be at or below 130 percent of the federal poverty level. Students whose families have an income between 130 percent and 185 percent of the federal poverty level are eligible for reduced-price meals. As of May 2017, the number of public school students eligible for free or reduced price meals (FRPM) was 473,309 (or 43 percent).

Associated Student Body.

An associated student body (ASB) is a formal student organization at a school. An ASB is approved of and regulated by the school board. Some ASBs allow their members to purchase an ASB card, which identifies the student as a member of the school. The purchase of an ASB card is required for participation in some school-sponsored activities at some schools. An ASB card can often be used by a student to receive discounts, such as, on admission to home athletic games or dances, or the purchase of a year book.

Career and Technical Student Organizations.

Career and Technical Student Organizations (CTSOs) provide programs designed to improve student achievement, reduce dropout rates, and help students discover available career options. The eight recognized CTOSs engage the community and local businesses to help students understand global competition; develop twenty-first century skills focused on

creativity, problem solving, teamwork, and goal setting; and chart effective and efficient pathways through high school and postsecondary education for their personal success.

Physical Examinations.

The 2017-18 WIAA Handbook states that students must undergo a thorough medical examination and be approved for interscholastic athletic competition by a medical authority licensed to perform a physical exam, prior to the first practice. The handbook also states that the physical examination is valid for 24 consecutive months, unless otherwise limited by local school district policy or the medical authority who performed the exam.

Summary of Engrossed Substitute Bill:

Fee Limitations.

The following fees are limited for public and private high school students eligible to participate in the FRPM program: student identification card, such as ASB, fees, extracurricular activities participation fees; and CTSO participation fees. The student identification card fee is limited to \$5 per school year, and the extracurricular activities and CTBO participation fees are limited to \$5 per activity or organization per school year. The limit on extracurricular activities participation fees applies only to high school students enrolled in a district that is a member of WIAA.

The process for charging and collecting these fees from high school students eligible to participate in the FRPM program must be identical to the process for charging and collecting fees from other students. These maximum fee limitations do not apply to admission fees for events, such as competition events, artistic exhibits or performances, or dances or other student gatherings, nor for the purchase of clothing, supplies, gear, or equipment required to participate in extracurricular activities or CTSOs.

School districts and private schools must widely, effectively, and frequently communicate these fee limits, including on the high school's website, the school district's website, registration forms related to school enrollment and participation in extracurricular activities or CTSOs, annual information packets to students and families, and newsletters.

Grant Program.

The Promoting Lively Activities for Youth (PLAY) grant program is created to subsidize small school districts unduly impacted by the student identification card fee limitation. The Office of Financial Management must contract with the WIAA to administer the program. Subject to the appropriation of specific funds, beginning in the 2018-19 school year, the WIAA must allocate up to \$50,000 per school year for the purposes of the PLAY grant program. The grant dollars must be allocated on a first-come basis, with a maximum of \$2,000 per district per year. The WIAA may not retain any of the appropriated amounts for administrative purposes.

To qualify for a PLAY grant, a district must:

- have fewer than 2000 students;
- have 50 percent or more high school students eligible to participate in the FRPM program; and
- be impacted by the maximum student identification card fee limitation.

Applications for a PLAY grant must include the number and overall percentage of high school students eligible to participate in the FRPM program who purchased a student identification card in the prior school year, and an estimate of the number of student identification card fees subject to the fee limitation.

By November 1, 2019, and by November 1 annually thereafter, the WIAA must report to the Legislature with the following data: the number of applications, a summary of the information submitted with applications, and the number and amount of PLAY grants awarded.

Physical Examination Frequency.

Students may not be required to complete a physical examination to participate in extracurricular activities more often than every 24 months, unless recommended by a medical authority licensed to perform a physical examination.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on January 25, 2018.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) There are equity in access issues related to participation in extracurricular activities due to the fees charged to students in order to participate. The Legislature can broaden access, break down barriers, and increase academic performance, attendance, and participation at the same time. By addressing strategies to increase student engagement, the bill will result in a decrease in barriers to participation in interscholastic activities, and thereby improve academic outcomes.

In order to qualify for free lunch, a family of four must make less than \$31,500 per year and a family of three has to make less than \$26,000 per year. For many of these families, it is not realistic to have \$50 of discretionary funds per month. Even families who have \$50 of discretionary funds may not choose to use that money so their child can participate in extracurricular activities. Some districts have unwritten rules for assisting students who cannot afford an ASB card or extracurricular activities participation fees. Participation is a big part of high school and a good community. A large percentage of the student population has a financial barrier to participating in, or observing, many extracurricular activities. If they could participate, then it would create a better school environment.

Physical examinations for sports participation are very costly. Doctors have to sign off that the physical is good for two years. If students are only required to complete a new physical every two years, instead of yearly, then this would be a financial help.

(Opposed) None.

Persons Testifying: Representative Bergquist, prime sponsor; Marissa Rathbone, Office of the Superintendent of Public Instruction; David Lutes, Kent School District; Mike Colbrese, Washington Interscholastic Activities Association; and Dylan Mooers.

Persons Signed In To Testify But Not Testifying: None.