

# SENATE BILL REPORT

## SB 5117

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As of January 26, 2017

**Title:** An act relating to transitioning military student participation in extracurricular activities.

**Brief Description:** Transitioning military student participation in extracurricular activities.

**Sponsors:** Senators Rolfes, Bailey, Angel, Conway and Zeiger.

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 1/24/17.

**Brief Summary of Bill**

- Provides that the Washington Interscholastic Activities Association (WIAA) must facilitate the opportunity for children of transitioning military families to participate in extracurricular activities.
- Allows a student who meets the definition of a child of a transitioning military family to participate in extracurricular activities without restriction to sub-varsity competition for one year.

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Staff:** Alia Kennedy (786-7405)

**Background:** School district board of directors have statutory authority to regulate interscholastic athletic and extracurricular activities for students within the district. The school board may also delegate its authority to regulate interscholastic athletic and extracurricular activities to the 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 schools, both public and private, that have volunteered to abide by the policies established by the WIAA.

The WIAA has statutory authority to adopt rules related to the eligibility of transfer students to participate in extracurricular activities. The Interstate Compact for Military Children, which Washington joined in 2009, specifies that the WIAA and school districts must

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"facilitate the opportunity for transitioning military children's inclusion in extracurricular activities, regardless of application deadlines, to the extent they are otherwise qualified and space is available, as determined by the school district."

The WIAA 2016-17 Official Handbook requires that a student continuously attend the school of residence for one year before becoming eligible to participate in varsity level athletics, unless the student and their family move and the student enrolls in the new school of residence. However, if the student and their family move and the student enrolls in a school other than the school of residence, then the student is subject to one year of sub-varsity activities.

The WIAA eligibility rules contain exceptions for children from military families. The handbook provides that a student who transfers to a new school of residence due to the deployment of a parent or guardian and in order to live with a relative is varsity eligible without waiting one year. However, if one of the student's parents or guardians remains in the student's original school district, then the student would need a continuous enrollment waiver to become varsity eligible in the new school of residence.

**Summary of Bill:** The rules adopted by WIAA must facilitate the opportunity for children of transitioning military families to participate in extracurricular activities, regardless of application deadlines, to the extent they are otherwise qualified and space is available.

A student who meets the definition of a child of a military family in transition, as provided in the Interstate Compact for Military Children, is immediately eligible to participate in extracurricular activities without restriction to sub-varsity competition for one year.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

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

**Staff Summary of Public Testimony:** PRO: Washington is part of the Interstate Compact for Military Students. The purposes of the compact is to ensure that military children have a smooth transition from school to school. One outstanding issue is athletic participation. Having to wait a year to play varsity athletics is a big deal to high school students and could severely affect their ability to obtain college scholarships. Having to compete at a lower level means they are gaining nothing. Washington is one of the largest states for military active duty. The Washington Interscholastic Activities Association (WIAA) transfer rule is an unnecessary barrier for military families and does not recognize the unique requirements that military families face. Military families do not want to game the system for athletic purposes, but do want the same academic opportunities and school choice as other families in Washington. The effects of the existing rules are consequential and long lasting for a child of a military family. Washington has a good reputation as a military friendly state, and passage of this bill enhances that standing and makes the transition of military families both interstate and globally as smooth as possible.

CON: There are no students who are ineligible to participate in school activities. All students are eligible. The only students impacted by the current rules are those students of military families who move in and choose to go to a school that is outside of their residence. There is only one other state that has a different rule for transferring military students and that is because the school district in which the base sits is small and cannot provide all the necessary services that transferring military students are used to getting. The WIAA has a rulemaking and waiver process, and is working on the issue of transferring military students. There is concern because this bill applies to all military families, even those that have a choice as to where they live. The WIAA is working on a rule that applies only to those military families that must live on base. School districts with high volumes of transitioning military students may be negatively impacted if those students had the option to attend any school they want. The WIAA's rulemaking and waiver process already effectively addresses transfer issues for military students on a case-by-case basis. This bill creates a system that is different for military students than all other students in Washington, including students of other families that move into the state. Students who choose to go to a school district that is not used to incoming military students may have a more difficult transition.

**Persons Testifying:** PRO: Senator Christine Rolfes, Prime Sponsor; Ted Wicorek, Veterans Legislative Coalition; Greg Lynch, Superintendent of Olympic Educational Service District 114.

CON: Mike Colbrese, Washington Interscholastic Activities Association; Scott Nordi, Athletic Administrator, Lakes High School, Clover Park School District; Joe Keller, President, Washington Secondary Schools Athletic Administrators Association.

**Persons Signed In To Testify But Not Testifying:** No one.