
HOUSE BILL 1660

State of Washington

66th Legislature

2019 Regular Session

By Representatives Bergquist, Harris, Hudgins, Young, Tarleton, Ybarra, Slatter, Santos, Jinkins, Doglio, Fey, Leavitt, Ormsby, and Valdez

Read first time 01/28/19. Referred to Committee on Education.

1 AN ACT Relating to the participation of students who are low
2 income in extracurricular activities; amending RCW 28A.325.010 and
3 28A.325.050; adding new sections to chapter 28A.320 RCW; adding a new
4 section to chapter 28A.300 RCW; adding a new section to chapter
5 28A.600 RCW; and creating a new section.

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

7 NEW SECTION. **Sec. 1.** INTENT. (1) The legislature finds that:

8 (a) Interscholastic athletics and activities are a vital part of
9 enriching students' educational experiences and developing students
10 into responsible adults;

11 (b) Research supports the theory that students who participate in
12 extracurricular activities have:

13 (i) Better grades and higher standardized test scores;

14 (ii) Increased school attendance;

15 (iii) Improved health and wellness; and

16 (iv) Positively enhanced educational experience;

17 (c) Many school districts require associated student body cards
18 to participate in extracurricular activities and many school
19 districts charge a fee for associated student body cards;

20 (d) Many school districts require a participation fee for some
21 extracurricular activities; and

1 (e) The fees associated with obtaining associated student body
2 cards and with participating in extracurricular activities may create
3 an obstacle to participation in extracurricular activities by
4 students who are low income.

5 (2) The legislature intends to reduce the obstacle to
6 participation in extracurricular activities caused by the fees
7 charged to students who are low income by creating equitable access
8 to opportunities that improve academic, social, and emotional
9 outcomes, collecting and analyzing data, and addressing barriers to
10 extracurricular activities.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.320
12 RCW to read as follows:

13 DEFINITIONS. The definitions in this section apply throughout
14 sections 3 through 9 of this act, unless the context clearly requires
15 otherwise.

16 (1) "Extracurricular activities" means any optional noncredit
17 cultural, social, recreational, or athletic event or program offered
18 by a school district, including school clubs and school-based
19 athletic programs.

20 (2) "High school student" means a public school student enrolled
21 in any of grades nine through twelve.

22 (3) "Students who are low income" means students who are eligible
23 to participate in the federal free and reduced-price meals program
24 or, if this data is unavailable, the college bound scholarship
25 program under chapter 28B.118 RCW.

26 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.320
27 RCW to read as follows:

28 DATA COLLECTION, PUBLISHING, AND REPORTING. (1) Beginning April
29 1, 2020, and by April 1st annually thereafter, school districts must
30 collect and report to the associated student body executive board the
31 data related to associated student body card purchase and student
32 participation in school-based extracurricular activities described in
33 subsection (3) of this section. This data must include at least two
34 weeks of data for the spring athletics season.

35 (2) Beginning August 31, 2020, and by August 31st annually
36 thereafter, school districts must collect and publish the data
37 related to associated student body card purchase and student

1 participation in school-based extracurricular activities described in
2 subsection (3) of this section and as required under RCW 28A.325.050.

3 (3) Associated student body card purchase and student
4 participation in school-based extracurricular activities data must
5 include:

6 (a) The purchase amount of an associated student body card for
7 high school students;

8 (b) The discounted purchase amount of an associated student body
9 card for high school students who are low income;

10 (c) Athletic program participation fees and any discounted fees
11 for high school students who are low income;

12 (d) The number of high school students who purchased an
13 associated student body card;

14 (e) The number of high school students participating in an
15 extracurricular activity;

16 (f) The extracurricular activity opportunity gap for associated
17 student body card acquisition, as calculated under section 4 of this
18 act;

19 (g) The extracurricular activity opportunity gap for
20 extracurricular activity participation, as calculated under section 4
21 of this act;

22 (h) Whether the school district has met the extracurricular
23 opportunity gap goals described in sections 5 and 6 of this act; and

24 (i) The extracurricular activity opportunity gap reduction plan,
25 as described in section 7 of this act, as applicable.

26 (4) Data collected, reported, and published as required under
27 this section must be from the current school year.

28 (5) School districts who do not enroll high school students are
29 exempt from this section.

30 (6) Upon request from the superintendent of public instruction,
31 school districts must provide a summary report of the data in this
32 section.

33 (7) The superintendent of public instruction may adopt rules in
34 accordance with chapter 34.05 RCW as necessary to implement this
35 section.

36 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.320
37 RCW to read as follows:

38 CALCULATION OF EXTRACURRICULAR ACTIVITY OPPORTUNITY GAPS. (1) A
39 school district must calculate the extracurricular activity

1 opportunity gap for associated student body card acquisition as the
2 difference between the percentage of high school students who are low
3 income and who purchased an associated student body card, and the
4 percentage of high school students who are not low income and who
5 purchased an associated student body card.

6 (2) A school district must calculate the extracurricular activity
7 opportunity gap for extracurricular activity participation as the
8 difference between the percentage of high school students who are low
9 income and who participated in an extracurricular activity, and the
10 percentage of high school students who are not low income and who
11 participated in an extracurricular activity.

12 (3) School districts may elect to exclude the number of students
13 who are low income who are participating in the running start
14 program, as defined in RCW 28A.600.300, when calculating
15 extracurricular activity opportunity gaps under this section.

16 NEW SECTION. **Sec. 5.** A new section is added to chapter 28A.320
17 RCW to read as follows:

18 EXTRACURRICULAR ACTIVITY OPPORTUNITY GAP REDUCTION FOR ASSOCIATED
19 STUDENT BODY CARD PURCHASE. (1) If a high school does not require an
20 associated student body card for participation in any extracurricular
21 activities or to receive any student discounts, the goals in this
22 section do not apply.

23 (2) (a) For a high school that requires an associated student body
24 card for participation in school clubs, the goal is that fifty
25 percent of high school students purchase an associated student body
26 card each school year.

27 (b) For a high school that requires an associated student body
28 card for participation in school clubs and school-based athletics,
29 the goal is that seventy percent of high school students purchase an
30 associated student body card each school year.

31 (3) For each high school, the extracurricular activity
32 opportunity gap for acquisition of an associated student body card,
33 as calculated under section 4 of this act, may not exceed the
34 following goals:

35 (a) During the 2020-21 school year, the opportunity gap must be
36 twenty or fewer percentage points;

37 (b) During the 2021-22 school year, the opportunity gap must be
38 sixteen or fewer percentage points;

1 (c) During the 2022-23 school year, the opportunity gap must be
2 twelve or fewer percentage points;

3 (d) During the 2023-24 school year, the opportunity gap must be
4 eight or fewer percentage points; and

5 (e) During the 2024-25 school year, and for each subsequent
6 school year, the opportunity gap must be five or fewer percentage
7 points.

8 NEW SECTION. **Sec. 6.** A new section is added to chapter 28A.320
9 RCW to read as follows:

10 EXTRACURRICULAR ACTIVITY OPPORTUNITY GAP REDUCTION FOR
11 EXTRACURRICULAR ACTIVITY PARTICIPATION. For each high school, the
12 extracurricular activity opportunity gap for extracurricular activity
13 participation, as calculated under section 4 of this act, must not
14 exceed the following goals:

15 (1) During the 2020-21 school year, the opportunity gap must be
16 twenty or fewer percentage points;

17 (2) During the 2021-22 school year, the opportunity gap must be
18 sixteen or fewer percentage points;

19 (3) During the 2022-23 school year, the opportunity gap must be
20 twelve or fewer percentage points;

21 (4) During the 2023-24 school year, the opportunity gap must be
22 eight or fewer percentage points; and

23 (5) During the 2024-25 school year, and for each subsequent
24 school year, the opportunity gap must be five or fewer percentage
25 points.

26 NEW SECTION. **Sec. 7.** A new section is added to chapter 28A.320
27 RCW to read as follows:

28 EXTRACURRICULAR ACTIVITY OPPORTUNITY GAP REDUCTION PLAN. (1)(a)
29 Beginning June 1, 2021, and by June 1st annually thereafter, a school
30 district with a high school that does not meet or exceed one or more
31 of the extracurricular activity opportunity gap reduction goals
32 described in section 5 or 6 of this act, must develop, submit, and
33 implement an extracurricular activity opportunity gap reduction plan,
34 as required in this section.

35 (b) The plan must be formatted and submitted as directed by the
36 office of the superintendent of public instruction.

37 (c) The plan must be published as required under RCW 28A.325.050.

1 (2) (a) When developing the plan, the school district shall review
2 recommendations from the associated student body executive board.

3 (b) The plan may include a school district-developed policy or
4 practice.

5 (c) The plan must include at least one element from the list in
6 subsection (3) of this section and must add an additional element
7 from the list for each year that a high school in the school district
8 does not meet one or more of the extracurricular activity opportunity
9 gap reduction goals described in section 5 or 6 of this act.

10 (3) The following policies or practices, if included in the plan,
11 must be an enhancement or addition to policies or practices in place
12 at the time of plan submission:

13 (a) Discounting the associated student body card fee for high
14 school students who are low income;

15 (b) Promoting associated student body card purchase and
16 extracurricular activity participation for high school students, with
17 an emphasis on students who are low income;

18 (c) Eliminating any requirement that school club members purchase
19 an associated student body card;

20 (d) Applying for the promoting lively activities for youth (PLAY)
21 grant program under section 8 of this act;

22 (e) Eliminating all fees charged to high school students who are
23 low income for participating in extracurricular activities;

24 (f) Creating an activities coordinator position at the school or
25 school district level;

26 (g) Increasing the release time of the activities coordinator to
27 equal that of the school or school district athletic director;

28 (h) Enhancing transportation options to and from extracurricular
29 activities;

30 (i) For students for whom transportation is a barrier to
31 participation in extracurricular activities, either reducing this
32 barrier or providing means of remote participation;

33 (j) Scheduling extracurricular activities to meet during high
34 school hours.

35 (4) The office of the superintendent of public instruction may
36 review the plans submitted under this section and provide feedback
37 and technical assistance to help school districts meet the
38 requirements of this act.

1 NEW SECTION. **Sec. 8.** A new section is added to chapter 28A.300

2 RCW to read as follows:

3 PROMOTING LIVELY ACTIVITIES FOR YOUTH (PLAY) GRANT PROGRAM.

4 (1)(a) The promoting lively activities for youth (PLAY) grant program
5 is created to subsidize small school districts impacted by discounted
6 associated student body card fees charged to high school students who
7 are low income.

8 (b) The office of the superintendent of public instruction must
9 administer the program.

10 (2)(a) Subject to the availability of amounts appropriated for
11 this specific purpose and beginning in the 2019-20 school year, the
12 office of the superintendent of public instruction must allocate up
13 to two hundred fifty thousand dollars per school year for the
14 purposes of the promoting lively activities for youth grant program.

15 (b) Grant awards must be prioritized in the following order:

16 (i) Beginning in the 2020-21 school year, high schools that
17 previously received a grant award under this section;

18 (ii) High schools implementing the United States department of
19 agriculture community eligibility provision;

20 (iii) High schools with the highest percentage of students in
21 grades nine through twelve eligible to participate in the federal
22 free and reduced-price meals program; and

23 (iv) High schools located in school districts enrolling five
24 thousand or fewer students.

25 (3) To qualify for a promoting lively activities for youth grant,
26 a high school must:

27 (a) Either:

28 (i) Be implementing the United States department of agriculture
29 community eligibility provision; or

30 (ii) Have greater than twenty-five percent of students in grades
31 nine through twelve eligible to participate in the federal free and
32 reduced-price meals program; and

33 (b) Be impacted by discounts on associated student body card fees
34 charged to high school students who are low income.

35 (4) School district applications for a promoting lively
36 activities for youth grant must include the following data for a
37 qualifying high school:

38 (a) Either the high school's community eligibility provision
39 percentage or the number and overall percentage of high school

1 students who are eligible to participate in the federal free and
2 reduced-price meals program;

3 (b) The number of high school students who purchased an
4 associated student body card in the prior school year;

5 (c) An estimate of the total revenue lost in the current school
6 year due to discounts on associated student body card fees discounted
7 for students who are low income; and

8 (d) A description of how any grant award will be used in the
9 coming year to discount associated student body card fees for
10 students who are low income.

11 (5) Applications are due to the office of the superintendent of
12 public instruction by June 1st each year and the office of the
13 superintendent of public instruction must notify school districts of
14 award decisions by August 10th.

15 (6) The maximum promoting lively activities for youth grant award
16 is five thousand dollars per high school per year. For up to ten
17 years, the office of the superintendent of public instruction may
18 award a repeat grant recipient up to ten percent less than the grant
19 recipient received in the prior school year, regardless of the number
20 of associated student body card fees discounted for high school
21 students who are low income.

22 (7) Schools and school districts that are not publishing
23 associated student body program information and other information as
24 required under RCW 28A.325.050 are ineligible to receive a promoting
25 lively activities for youth grant under this section.

26 (8) By November 1, 2020, and by each November 1st thereafter, and
27 in compliance with RCW 43.01.036, the office of the superintendent of
28 public instruction must report to the appropriate policy and fiscal
29 committees of the legislature the following data:

30 (a) The number of promoting lively activities for youth grant
31 applications;

32 (b) A summary of the information submitted with the applications
33 as required under subsection (4) of this section; and

34 (c) The number and amount of promoting lively activities for
35 youth grants awarded.

36 NEW SECTION. **Sec. 9.** A new section is added to chapter 28A.600
37 RCW to read as follows:

38 STREAMLINING FEE COLLECTION. (1) The process for charging and
39 collecting associated student body card fees, school-based

1 extracurricular activities fees, and other fees from high school
2 students who are low income must be identical to the process for
3 charging and collecting fees from other students.

4 (2) The legislature recommends, but does not require, that the
5 requirements under subsection (1) of this section are made applicable
6 to students in grades six through eight.

7 **Sec. 10.** RCW 28A.325.010 and 1977 ex.s. c 170 s 1 are each
8 amended to read as follows:

9 FEE WAIVER CLARIFICATION. The board of directors of any common
10 school district may establish and collect a fee from students and
11 nonstudents as a condition to their attendance at, or participation
12 in, any optional noncredit extracurricular event of the district
13 which is of a cultural, social, recreational, or athletic nature:
14 PROVIDED, That in so establishing such fee or fees, the district
15 shall adopt regulations for waiving and reducing such fees (~~in the~~
16 ~~cases of those students whose families, by reason of their low~~
17 ~~income, would have difficulty in paying the entire amount of such~~
18 ~~fees)) for students who are eligible to participate in the federal
19 free or reduced-price meals program and may likewise waive or reduce
20 such fees for nonstudents of the age of sixty-five or over who, by
21 reason of their low income, would have difficulty in paying the
22 entire amount of such fees. An optional comprehensive fee may be
23 established and collected for any combination or all of such events
24 or, in the alternative, a fee may be established and collected as a
25 condition to attendance at any single event. Fees collected pursuant
26 to this section shall be deposited in the associated student body
27 program fund of the school district, and may be expended to defray
28 the costs of optional noncredit extracurricular events of such a
29 cultural, social, recreational, or athletic nature, or to otherwise
30 support the activities and programs of associated student bodies.~~

31 **Sec. 11.** RCW 28A.325.050 and 2014 c 211 s 3 are each amended to
32 read as follows:

33 PUBLISHING OPPORTUNITY GAP PLANS AND DATA. (1) Each school
34 district that has an associated student body program fund must
35 publish the following information about the fund on its web site:

36 (a) The fund balance at the beginning of the school year;

37 (b) Summary data about expenditures and revenues occurring over
38 the course of the school year; and

1 (c) The fund balance at the end of the school year.

2 (2) Beginning in the 2019-20 school year, each school district
3 that has an associated student body must publish the following
4 information on its web site:

5 (a) Data related to high school student associated student body
6 card purchase and high school student participation in school-based
7 extracurricular activities as required under section 3 of this act;

8 (b) The school district's extracurricular activity opportunity
9 gap reduction plan if required under section 7 of this act; and

10 (c) A list of optional noncredit extracurricular event attendance
11 and participation fees and the school district policy for waiving or
12 reducing these fees as described under RCW 28A.325.010.

13 (3) The information under this section must be published for each
14 associated student body of the district and each account within the
15 associated student body program fund.

16 ~~((3))~~ (4) If the school district web site contains separate web
17 sites for schools in the district, the information under this section
18 must be published on the web site of the applicable school of the
19 associated student body.

20 ~~((4))~~ (5) No later than August 31, 2014, school districts must
21 publish the information under this section on their web sites for the
22 2012-13 and 2013-14 school years. School districts must add updated
23 annual information to their web sites by each August 31st, except
24 that school districts are only required to maintain the information
25 on the web site from the previous five years.

--- END ---