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HOUSE BILL 2201

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State of Washington

66th Legislature

2020 Regular Session

By Representatives Klippert, Griffey, and Young

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1 AN ACT Relating to equitable competition between students who  
2 participate in school athletic activities; amending RCW 28A.600.200;  
3 and adding a new section to chapter 28A.600 RCW.

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  
8 shall, subject to the requirements of this section and section 2 of  
9 this act, exercise the authority to control, supervise and regulate  
10 the conduct of interschool athletic activities and other interschool  
11 extracurricular activities of an athletic, cultural, social or  
12 recreational nature for students of the district. A board of  
13 directors may delegate control, supervision and regulation of any  
14 such activity to the Washington interscholastic activities  
15 association or any other voluntary nonprofit entity and compensate  
16 such entity for services provided, subject to the following  
17 conditions:

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

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

4 (b) Such rules and policies shall provide for notice of the  
5 reasons and a fair opportunity to contest such reasons prior to a  
6 final determination to reject a student's request to participate in  
7 or to 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,  
11 as 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  
15 disadvantaged 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  
24 interschool extracurricular activities shall not impose more severe  
25 penalties for rule violations than can be imposed by the rules of the  
26 association or the voluntary nonprofit entity.

27 (5) As used in this section and RCW 28A.600.205, "knowingly"  
28 means having actual knowledge of or acting with deliberate ignorance  
29 or reckless disregard for the prohibition involved.

30 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.600  
31 RCW to read as follows:

32 (1) Rules and policies adopted in accordance with RCW 28A.600.200  
33 by a school district board of directors or a voluntary nonprofit  
34 entity must prohibit male students from competing with and against  
35 female students in athletic activities with separate classifications  
36 for male and female students if the athletic activity is:

37 (a) Intended for female students; and

38 (b) An individual competition sport.

1           (2) For the purposes of this section, "male students" means  
2 students whose sex assigned at birth was male.

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