
HOUSE BILL 1699

State of Washington

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2025 Regular Session

By Representatives Volz, Walsh, Chase, Graham, Griffey, Schmidt, Stuebe, Dent, Orcutt, Ley, Klicker, Barkis, Caldier, Abbarno, Couture, Marshall, McClintock, Burnett, Schmick, Dye, Jacobsen, Connors, Corry, Ybarra, Barnard, and Engell

Read first time 01/29/25. Referred to Committee on Education.

1 AN ACT Relating to defending equity in interscholastic sports;
2 amending RCW 28A.600.200 and 28A.640.020; adding a new section to
3 chapter 28A.600 RCW; and creating a new section.

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 (1) Each school district board of directors is hereby granted and
8 shall exercise the authority to control, supervise and regulate the
9 conduct 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
12 directors may delegate control, supervision and regulation of any
13 such activity to the Washington interscholastic activities
14 association or any other voluntary nonprofit entity and compensate
15 such entity for services provided, subject to the ~~((following))~~
16 conditions(~~(~~
17 ~~(1))~~) outlined in this section.

18 (2) 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))~~ (3) 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))~~ (4) The association or other voluntary nonprofit
9 entity is authorized to impose penalties for rules violations upon
10 coaches, school district administrators, school administrators, and
11 students, as appropriate, to punish the offending party or parties(~~(+)~~

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

16 ~~(e))~~. Any penalty that is imposed for rules violations must be
17 proportional to the offense(~~(+)~~

18 ~~(d) Any~~), and any decision resulting in a penalty shall be
19 considered a decision of the school district conducting the activity
20 in which the student seeks to participate or was participating and
21 may be appealed pursuant to RCW 28A.600.205 and 28A.645.010 through
22 28A.645.030.

23 (~~(4))~~ (5) The school districts, Washington interscholastic
24 activities association districts, and leagues that participate in the
25 interschool extracurricular activities shall not impose more severe
26 penalties for rule violations than can be imposed by the rules of the
27 association or the voluntary nonprofit entity.

28 (~~(5))~~ (6) Policies, procedures, rules, and other requirements
29 adopted by a school district or a voluntary nonprofit entity in
30 accordance with this section must conform with section 2 of this act.

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

34 NEW SECTION. Sec. 2. A new section is added to chapter 28A.600
35 RCW to read as follows:

36 (1) Policies, procedures, rules, and other requirements adopted
37 in accordance with RCW 28A.600.200 by a school district board of
38 directors or a voluntary nonprofit entity may prohibit biologically
39 male students from competing with and against female students in

1 athletic activities with separate classifications for male and female
2 students if the athletic activity is:

- 3 (a) Intended for female students; and
 - 4 (b) An individual or team competition activity.
- 5 (2) A dispute regarding a student's sex must be resolved by the
6 school district by requesting that the student provide a health
7 examination and consent form or other statement signed by the
8 student's personal health care provider that verifies the student's
9 biological sex. The health care provider may verify the student's
10 biological sex as part of a routine sports physical examination
11 relying only on one or more of the following: The student's
12 reproductive anatomy, genetic makeup, or normal endogenously produced
13 testosterone levels.

14 **Sec. 3.** RCW 28A.640.020 and 2023 c 242 s 3 are each amended to
15 read as follows:

16 (1) The superintendent of public instruction shall develop
17 regulations and guidelines to eliminate sex discrimination as it
18 applies to public school employment, counseling and guidance services
19 to students, recreational and athletic activities for students,
20 access to course offerings, and in textbooks and instructional
21 materials used by students.

22 (a) Specifically with respect to public school employment, all
23 schools shall be required to:

24 (i) Maintain credential requirements for all personnel without
25 regard to sex;

26 (ii) Make no differentiation in pay scale on the basis of sex;

27 (iii) Assign school duties without regard to sex except where
28 such assignment would involve duty in areas or situations, such as
29 but not limited to a shower room, where persons might be disrobed;

30 (iv) Provide the same opportunities for advancement to males and
31 females; and

32 (v) Make no difference in conditions of employment including, but
33 not limited to, hiring practices, leaves of absence, hours of
34 employment, and assignment of, or pay for, instructional and
35 noninstructional duties, on the basis of sex.

36 (b) Specifically with respect to counseling and guidance services
37 for students, they shall be made available to all students equally.
38 All certificated personnel shall be required to stress access to all

1 career and vocational opportunities to students without regard to
2 sex.

3 (c) Specifically with respect to recreational and athletic
4 activities, they shall be offered to all students without regard to
5 sex, except as provided in section 2 of this act. Schools may provide
6 separate teams for each sex. Schools which provide the following
7 shall do so with no disparities based on sex: Equipment and supplies;
8 medical care; services and insurance; transportation and per diem
9 allowances; opportunities to receive coaching and instruction;
10 laundry services; assignment of game officials; opportunities for
11 competition, publicity and awards; scheduling of games and practice
12 times including use of courts, gyms, and pools: PROVIDED, That such
13 scheduling of games and practice times shall be determined by local
14 administrative authorities after consideration of the public and
15 student interest in attending and participating in various
16 recreational and athletic activities. Each school which provides
17 showers, toilets, or training room facilities for athletic purposes
18 shall provide comparable facilities for both sexes. Such facilities
19 may be provided either as separate facilities or shall be scheduled
20 and used separately by each sex.

21 The superintendent of public instruction shall also be required
22 to develop a student survey to distribute every three years to each
23 local school district in the state to determine student interest for
24 male/female participation in specific sports.

25 (d) Specifically with respect to course offerings, all classes
26 shall be required to be available to all students without regard to
27 sex: PROVIDED, That separation is permitted within any class during
28 sessions on sex education or gym classes.

29 (e) Specifically with respect to textbooks and instructional
30 materials, which shall also include, but not be limited to, reference
31 books and audiovisual materials, they shall be required to adhere to
32 the guidelines developed by the superintendent of public instruction
33 to implement the intent of this chapter: PROVIDED, That this
34 subsection shall not be construed to prohibit the introduction of
35 material deemed appropriate by the instructor for educational
36 purposes.

37 (2) (a) By December 31, 1994, the superintendent of public
38 instruction shall develop criteria for use by school districts in
39 developing sexual harassment policies as required under (b) of this
40 subsection. The criteria shall address the subjects of grievance

1 procedures, remedies to victims of sexual harassment, disciplinary
2 actions against violators of the policy, and other subjects at the
3 discretion of the superintendent of public instruction. Disciplinary
4 actions must conform with collective bargaining agreements and state
5 and federal laws. The superintendent of public instruction also shall
6 supply sample policies to school districts upon request.

7 (b) By June 30, 1995, every school district shall adopt and
8 implement a written policy concerning sexual harassment. The policy
9 shall apply to all school district employees, volunteers, parents,
10 and students, including, but not limited to, conduct between
11 students.

12 (c) School district policies on sexual harassment shall be
13 reviewed by the superintendent of public instruction considering the
14 criteria established under (a) of this subsection as part of the
15 monitoring process established in RCW 28A.640.030.

16 (d) The school district's sexual harassment policy shall be
17 conspicuously posted throughout each school building, and provided to
18 each employee. A copy of the policy shall appear in any publication
19 of the school or school district setting forth the rules,
20 regulations, procedures, and standards of conduct for the school or
21 school district. This requirement as it relates to students, parents,
22 and guardians may be satisfied by using the model student handbook
23 language in RCW 28A.300.286.

24 (e) Each school shall develop a process for discussing the
25 district's sexual harassment policy. The process shall ensure the
26 discussion addresses the definition of sexual harassment and issues
27 covered in the sexual harassment policy.

28 (f) "Sexual harassment" as used in this section means unwelcome
29 sexual advances, requests for sexual favors, sexually motivated
30 physical contact, or other verbal or physical conduct or
31 communication of a sexual nature if:

32 (i) Submission to that conduct or communication is made a term or
33 condition, either explicitly or implicitly, of obtaining an education
34 or employment;

35 (ii) Submission to or rejection of that conduct or communication
36 by an individual is used as a factor in decisions affecting that
37 individual's education or employment; or

38 (iii) That conduct or communication has the purpose or effect of
39 substantially interfering with an individual's educational or work

1 performance, or of creating an intimidating, hostile, or offensive
2 educational or work environment.

3 NEW SECTION. **Sec. 4.** This act may be known and cited as the
4 defending equity in interscholastic sports act.

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