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SENATE BILL 5117

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State of Washington

65th Legislature

2017 Regular Session

By Senators Rolfes, Bailey, and Angel

1 AN ACT Relating to transitioning military student participation  
2 in extracurricular activities; and amending RCW 28A.225.280 and  
3 28A.600.200.

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

5 **Sec. 1.** RCW 28A.225.280 and 2006 c 263 s 903 are each amended to  
6 read as follows:

7 Eligibility of transfer students under RCW 28A.225.220 (~~and~~),  
8 28A.225.225, and 28A.705.010 for participation in extracurricular  
9 activities shall be subject to rules adopted by the Washington  
10 interscholastic activities association. In accordance with RCW  
11 28A.705.010, the rules adopted by the Washington interscholastic  
12 activities association must facilitate the opportunity for  
13 transitioning military children's inclusion in extracurricular  
14 activities, regardless of application deadlines, to the extent they  
15 are otherwise qualified and space is available, as determined by the  
16 school district. A student who meets the definition of a child of a  
17 military family in transition under Article II of RCW 28A.705.010 is  
18 immediately eligible to participate in extracurricular activities  
19 without restriction to subvarsity competition for one year.

1       **Sec. 2.** RCW 28A.600.200 and 2012 c 155 s 2 are each amended to  
2 read as follows:

3       (1) Each school district board of directors is hereby granted and  
4 shall exercise the authority to control, supervise and regulate the  
5 conduct of interschool athletic activities and other interschool  
6 extracurricular activities of an athletic, cultural, social or  
7 recreational nature for students of the district. A board of  
8 directors may delegate control, supervision and regulation of any  
9 such activity to the Washington interscholastic activities  
10 association or any other voluntary nonprofit entity and compensate  
11 such entity for services provided, subject to the following  
12 conditions:

13       ~~((1))~~ (a) The voluntary nonprofit entity shall not discriminate  
14 in connection with employment or membership upon its governing board,  
15 or otherwise in connection with any function it performs, on the  
16 basis of race, creed, national origin, sex or marital status;

17       ~~((2)(a))~~ (b)(i) Any rules and policies adopted and applied by  
18 the voluntary nonprofit entity that governs student participation in  
19 any interschool activity shall be written; and

20       ~~((b))~~ (ii) Such rules and policies shall provide for notice of  
21 the reasons and a fair opportunity to contest such reasons prior to a  
22 final determination to reject a student's request to participate in  
23 or to continue in an interschool activity~~((-))~~;

24       ~~((3)(a))~~ (c) The voluntary nonprofit entity shall facilitate  
25 the inclusion of students who meet the definition of a child of a  
26 military family in transition under Article II of RCW 28A.705.010  
27 including, but not limited to, participation in extracurricular  
28 activities without restriction to subvarsity competition for one  
29 year;

30       (d)(i) The association or other voluntary nonprofit entity is  
31 authorized to impose penalties for rules violations upon coaches,  
32 school district administrators, school administrators, and students,  
33 as appropriate, to punish the offending party or parties;

34       ~~((b))~~ (ii) No penalty may be imposed on a student or students  
35 unless the student or students knowingly violated the rules or unless  
36 a student gained a significant competitive advantage or materially  
37 disadvantaged another student through a rule violation;

38       ~~((e))~~ (iii) Any penalty that is imposed for rules violations  
39 must be proportional to the offense; and

1       (~~(d)~~) (iv) Any decision resulting in a penalty shall be  
2 considered a decision of the school district conducting the activity  
3 in which the student seeks to participate or was participating and  
4 may be appealed pursuant to RCW 28A.600.205 and 28A.645.010 through  
5 28A.645.030(~~(-)~~); and

6       (~~(4)~~) (e) The school districts, Washington interscholastic  
7 activities association districts, and leagues that participate in the  
8 interschool extracurricular activities shall not impose more severe  
9 penalties for rule violations than can be imposed by the rules of the  
10 association or the voluntary nonprofit entity.

11       (~~(5)~~) (2) As used in this section and RCW 28A.600.205,  
12 "knowingly" means having actual knowledge of or acting with  
13 deliberate ignorance or reckless disregard for the prohibition  
14 involved.

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