

# SENATE BILL REPORT

## SB 5464

---

As Reported By Senate Committee On:  
Higher Education, February 10, 1997

**Title:** An act relating to gender equity in higher education.

**Brief Description:** Extending gender equity provisions.

**Sponsors:** Senators Kohl, Wood, Jacobsen, Winsley, Bauer, Hale, Patterson, Prince, Brown, Spanel, Sheldon, McAuliffe, Wojahn, Franklin, Thibaudeau, Snyder and Kline.

**Brief History:**

**Committee Activity:** Higher Education: 2/3/97, 2/10/97 [DPS].

---

### SENATE COMMITTEE ON HIGHER EDUCATION

**Majority Report:** That Substitute Senate Bill No. 5464 be substituted therefor, and the substitute bill do pass.

Signed by Senators Wood, Chair; Winsley, Vice Chair; Bauer, Hale, Kohl, Patterson, Sheldon and West.

**Staff:** Jennifer Hanlon (786-7784)

**Background:** In 1983, the Whitman County Superior Court concluded in Blair v. Washington State University that Washington State University discriminated against its female athletes. Based on the Washington Equal Rights Amendment, the court required the university to provide intercollegiate athletic opportunities at a proportionate rate to its male and female student population.

In 1989, the Legislature gave the four-year higher education institutions the authority to waive up to 1 percent of their estimated tuition and fee revenue to achieve or maintain gender equity in intercollegiate athletic programs. The tuition waiver authority will sunset June 30, 1997. The Legislature also required the institutions to provide athletic opportunities for an under-represented gender at the same rate as that gender participated in high school athletics.

The Higher Education Coordinating Board must report to the Legislature every two years regarding institutional efforts to achieve gender equity.

**Summary of Substitute Bill:** The sunset date for tuition waiver authority is repealed.

By June 30, 2002, institutions of higher education shall strive to achieve equitable participation in their intercollegiate athletics programs. Equitable means that the ratio of female and male students participating in intercollegiate athletics is substantially proportionate to the ratio of female and male students who are 17 to 24-year-old undergraduates enrolled full-time on the main campus.

Beginning in the 1999-2000 academic year, an institution that does not provide, by June 30, 1998, athletic opportunities for an historically under-represented gender class at the high school rate must have a new plan for achieving gender equity in intercollegiate athletics approved by the Higher Education Coordinating Board before providing further waivers.

Beginning in the 2003-2004 academic year, an institution that is not within 5 percent of equity by June 30, 2002, must have a new plan for achieving gender equity in intercollegiate athletics approved by the Higher Education Coordinating Board before providing further waivers.

The Higher Education Coordinating Board must report every four years beginning in 1998, on institutional efforts to comply with the gender equity requirements.

**Substitute Bill Compared to Original Bill:** Institutional plans regarding equity must outline efforts to encourage gender equity in all aspects of college and university life.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill contains an emergency clause and takes effect on July 1, 1997.

**Testimony For:** This is pragmatic legislation that will save the state from lawsuits. The tuition waivers enable soccer and softball players to stay in Washington for college. The University of Washington was able to give scholarships to women's crew for the first time ever because of waivers. Women gain confidence, education and life skills from sports. Tuition waivers help provide more opportunities for women's sports without hurting men's sports.

**Testimony Against:** None.

**Testified:** PRO: Jane Sherman, HECB; Norman Arkans, Barbara Hedges, Becky Newbry, UW; Lynda Goodrich, WWU; Angela Holland, The National Organization for Women; Sam Singla, WSL; Rhonda Coats, SBCTC; Judy Turpin, Northwest Women's Law Center; Kim Merriman, TESC; Melinda Williams, Seattle Reign.