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**SENATE BILL 5117**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** Senators Rolfes, Bailey, Angel, Conway, and Zeiger

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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