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**SENATE BILL 5097**

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**State of Washington 69th Legislature 2025 Regular Session**

**By** Senators Warnick and Short

AN ACT Relating to safeguarding competitiveness in girls' interscholastic athletic activities; amending RCW 28A.600.200; adding a new section to chapter 28A.600 RCW; adding a new section to chapter 49.60 RCW; and creating a new section.

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

NEW SECTION. **Sec.**  The legislature finds that girls' sports are a key element of public education in Washington state. Competing in sports gives girls opportunities for achieving excellence, teaches the value of hard work and discipline, cultivates life skills of teamwork that extend beyond the playing field, and creates lasting relationships among competitors, coaches, parents, and the entire interscholastic athletics community.

The legislature further finds that preserving fair competition in girls' interscholastic athletic activities is essential for producing the best educational experience for girls who choose to compete in sports. Therefore, the state has an important interest in safeguarding the competitiveness of girls' interscholastic athletic activities.

The legislature has previously authorized the Washington interscholastic activities association or other voluntary nonprofit entity to supervise and regulate interscholastic sports. The legislature now intends to clarify that the association's and entity's role includes regulating participation in girls' athletic activities for the purpose of promoting fair competition and safety.

**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.

(2) 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) The school board of directors must consent to abide by the competitiveness rules for interscholastic athletic activities adopted by the association or other voluntary nonprofit pursuant to section 3 of this act; and

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

(d) 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.

(4) 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) 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.

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

(1) The Washington interscholastic activities association or other voluntary nonprofit entity delegated responsibility over interscholastic athletic activities under RCW 28A.600.200 shall adopt competitiveness rules designed to create and foster opportunities for fair competition in girls' athletics.

(2) The competitiveness rules adopted under this section must:

(a) Be substantially related to accomplishing the following objective: Ensuring ample opportunities for all student athletes to participate in appropriately competitive events and contests that align with the skill level of the competitors regardless of gender identity; and

(b) Appropriately consider the effects of physiological and hormonal variation among athletes as it relates to the competitiveness and safety of events and contests, which may include rules that permit the exclusion of individual competitors from girls' athletics events and contests where the competitor would have an unfair advantage based on endocrine characteristics.

(3) Rules adopted under this section may not authorize a sex verification or dispute process, but may require age-appropriate sampling for relevant hormone levels to determine whether an individual will have an unfair competitive advantage or pose a safety risk in a girls' event or contest.

(4) The directive to adopt competitiveness rules under this section does not require, and may not be construed to require, the abolition of distinct boys' and girls' teams, events, or contests in interscholastic athletics. Interscholastic athletic teams, events, and contests are encouraged to be organized into distinct activities for boys and girls.

NEW SECTION. **Sec.**  A new section is added to chapter 49.60 RCW to read as follows:

Decisions regarding a student athlete made pursuant to the competitiveness rules adopted under section 3 of this act do not constitute unlawful discrimination and are not subject to this chapter.

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