
HOUSE BILL 1251

State of Washington

53rd Legislature

1993 Regular Session

By Representatives J. Kohl, Miller, Jacobsen, Quall, Pruitt, Jones, Kremen and Carlson

Read first time 01/20/93. Referred to Committee on Higher Education.

1 AN ACT Relating to gender equity; and amending RCW 28B.15.460 and
2 28B.15.740.

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

4 **Sec. 1.** RCW 28B.15.460 and 1989 c 340 s 4 are each amended to read
5 as follows:

6 (1) (~~An institution of higher education~~) A state university,
7 regional university, or state college shall not grant any waivers for
8 the purpose of achieving gender equity until the 1991-92 academic year,
9 and may grant waivers for the purpose of achieving gender equity in
10 intercollegiate athletic programs as authorized in RCW 28B.15.740, for
11 the 1991-92 academic year only if the institution's governing board has
12 adopted a plan for complying with the provisions of RCW 28B.15.455 and
13 submitted the plan to the higher education coordinating board.
14 Community colleges shall comply with this subsection by the 1992-93
15 academic year.

16 (2) Beginning in the 1992-93 academic year, (~~an institution of~~
17 ~~higher education~~) a state university, regional university, or state
18 college shall not grant any waiver for the purpose of achieving gender
19 equity in intercollegiate athletic programs as authorized in RCW

1 28B.15.740 unless the institution's plan has been approved by the
2 higher education coordinating board. Community colleges shall comply
3 with this subsection by the 1993-94 academic year.

4 (3) The plan shall include, but not be limited to:

5 (a) For any (~~institution~~) state university, regional university,
6 or state college with an underrepresented gender class, provisions that
7 ensure that by July 1, 1994, the institution shall provide athletic
8 opportunities for the underrepresented gender class at a rate that
9 meets or exceeds the rate at which that class participates in high
10 school interscholastic athletics in Washington state not to exceed the
11 point at which the underrepresented gender class is no longer
12 underrepresented;

13 (b) Activities to be undertaken by the institution to increase
14 participation rates of any underrepresented gender class in
15 interscholastic and intercollegiate athletics. These activities may
16 include, but are not limited to: Sponsoring equity conferences,
17 coaches clinics and sports clinics; and taking a leadership role in
18 working with athletic conferences to reduce barriers to participation
19 by those gender classes in interscholastic and intercollegiate
20 athletics;

21 (c) An identification of barriers to achieving and maintaining
22 equitable intercollegiate athletic opportunities for men and women; and

23 (d) Measures to achieve institutional compliance with the
24 provisions of RCW 28B.15.455.

25 Community colleges shall comply with this subsection (3) by July 1,
26 1995.

27 **Sec. 2.** RCW 28B.15.740 and 1992 c 231 s 26 are each amended to
28 read as follows:

29 Subject to the limitations of RCW 28B.15.910, the governing boards
30 of the state universities, the regional universities, The Evergreen
31 State College, and the community colleges may waive all or a portion of
32 tuition and fees subject to the following restrictions:

33 (1) Except as provided in subsection (2) of this section, the total
34 dollar amount of tuition and fee waivers awarded by the governing
35 boards shall not exceed four percent, except for the community colleges
36 considered as a whole, such amount shall not exceed three percent of an
37 amount determined by estimating the total collections from tuition and
38 services and activities fees had no such waivers been made, and

1 deducting the portion of that total amount that is attributable to the
2 difference between resident and nonresident fees: PROVIDED, That at
3 least three-fourths of the dollars waived shall be for needy students
4 who are eligible for resident tuition and fee rates pursuant to RCW
5 28B.15.012 through 28B.15.015: PROVIDED FURTHER, That the remainder of
6 the dollars waived, not to exceed one-fourth of the total, may be
7 applied to other students at the discretion of the governing boards,
8 except on the basis of participation in intercollegiate athletic
9 programs: PROVIDED FURTHER, That the waivers for undergraduate and
10 graduate students of foreign nations under RCW 28B.15.556 are not
11 subject to the limitation under this section.

12 (2) In addition to the tuition and fee waivers provided in
13 subsection (1) of this section and subject to the provisions of RCW
14 28B.15.455 and 28B.15.460, a total dollar amount of tuition and fee
15 waivers awarded by any state university, regional university, ((or))
16 state college or community college under this chapter, not to exceed
17 one percent, as calculated in subsection (1) of this section, may be
18 used for the purpose of achieving or maintaining gender equity in
19 intercollegiate athletic programs. At any institution that has an
20 underrepresented gender class in intercollegiate athletics, any such
21 waivers shall be awarded:

22 (a) First, to members of the underrepresented gender class who
23 participate in intercollegiate athletics, where such waivers result in
24 saved or displaced money that can be used for athletic programs for the
25 underrepresented gender class. Such saved or displaced money shall be
26 used for programs for the underrepresented gender class; and

27 (b) Second, (i) to nonmembers of the underrepresented gender class
28 who participate in intercollegiate athletics, where such waivers result
29 in saved or displaced money that can be used for athletic programs for
30 members of the underrepresented gender class. Such saved or displaced
31 money shall be used for programs for the underrepresented gender class;
32 or (ii) to members of the underrepresented gender class who participate
33 in intercollegiate athletics, where such waivers do not result in any
34 saved or displaced money that can be used for athletic programs for
35 members of the underrepresented gender class.

36 (3) Before June 30, 1995, no individual waiver program under this
37 section may be reduced by more than twice the percentage reduction

1 required in operating fee foregone revenue from tuition waivers in the
2 biennial state appropriations act.

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