

RESOLUTION NO. R-71 -09

A RESOLUTION ADOPTING A CITY OF PULLMAN POLICY PROHIBITING UNFAIR PRACTICES IN PUBLIC COMMUNITY ATHLETICS PROGRAMS BY PROHIBITING DISCRIMINATION ON THE BASIS OF SEX, IN CONFORMANCE WITH RCW 49.60.500.

WHEREAS, it is the position of the city of Pullman to prohibit unfair practices in public community athletics programs by prohibiting discrimination on the basis of sex; and,

WHEREAS, the City adopts the findings of the Washington State Legislature set forth in RCW 49.60.500; and,

WHEREAS, the City wishes to establish a policy and procedure to provide equal access to public community athletic programs and sports facilities by prohibiting discrimination on the basis of sex; and,

WHEREAS, the City has written such a policy entitled "City of Pullman Policy Prohibiting Unfair Practices in Public Community Athletics Programs by Prohibiting Discrimination on the Basis of Sex" attached hereto and marked as Exhibit "A"; and,

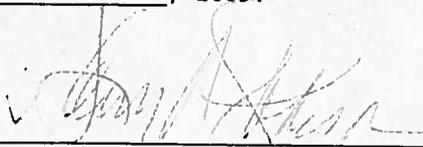
WHEREAS, this Council believes it to be in the best interests of the city of Pullman to adopt said policies; now, therefore,

IT IS HEREBY RESOLVED that the Mayor and the finance director be and they are hereby authorized and directed to adopt said policy attached hereto and marked as Exhibit "A".

IT IS FURTHER RESOLVED that the Mayor and finance director are each hereby authorized and directed to take such further action as may be appropriate in order to effect the purpose of this Resolution and the policies adopted thereby.

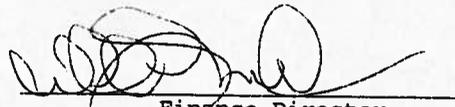
ADOPTED by the City Council of the city of Pullman at a regular meeting held on the 8th day of December, 2009.

DATED this 9th day of December, 2009.



Mayor Glenn A. Johnson

ATTEST:



Finance Director
William F. Mulholland

Approved as to Form:



City Attorney Laura D. McAloon

FILED
DEC 9 2009
CITY CLERK'S OFFICE
PULLMAN WASHINGTON

**CITY OF PULLMAN POLICY
PROHIBITING UNFAIR PRACTICES
IN PUBLIC COMMUNITY ATHLETICS PROGRAMS
BY PROHIBITING DISCRIMINATION ON THE BASIS OF SEX**

Section 1: Purpose

The purpose of this policy is to state the City of Pullman's position prohibiting unfair practices in public community athletics programs by prohibiting discrimination on the basis of sex and to establish policy and procedure to provide equal access to public community athletic programs and sports facilities by prohibiting discrimination on the basis of sex.

The City of Pullman adopts the findings of the Washington State Legislature set forth in RCW 49.60.500, included as Attachment A to this policy.

Section 2: City Policy Governing Discrimination

It is the policy of the City of Pullman, and all departments thereof, to prohibit discrimination against any person on the basis of sex in the operation, conduct, or administration of community athletics programs for youth or adults. The City of Pullman will not discriminate against any person on the basis of sex in the operation, conduct, or administration of community athletics programs for youth or adults. A third party receiving a lease or permit from the City of Pullman, for a community athletics program also may not discriminate against any person on the basis of sex in the operation, conduct, or administration of community athletics programs for youth or adults.

Section 3: Definitions

"Community athletics program" means any athletic program that is organized for the purpose of training for and engaging in athletic activity and competition and that is in any way operated, conducted, administered, or supported by the City of Pullman, other than those offered by a school district and created solely for the students by the school district or school.

"Sports facility" means any property owned, operated or administered by the City of Pullman for the purposes of training for and engaging in athletic activity and competition.

Section 4: Procedure

1. Community Athletic Programs administered by the City's Parks and Recreation Department will be operated in a manner that promotes equal opportunities for females and males.

2. The City Parks and Recreation Department will allocate and schedule Sports Facilities in a manner that provides equal access to all Community Athletic Programs.

3. The City will not issue a lease or permit for use of any Sports Facility to a third party that discriminates against any person on the basis of sex in the operation, conduct or administration of a Community Athletic Program.

4. Any citizen who feels she or he has been the victim of discriminatory treatment in violation of this policy should report this concern to the employee(s) listed in Section 5 of this policy.

Section 5: Employee(s) Responsible

The following employee or employees is/are responsible for the City of Pullman's efforts to comply with and carry out its responsibilities under RCW 49.60.500. This information shall be updated as needed and publicly available.

Name/Title: **Karen Sires, Human Resources Manager**

Office Address: **325 SE Paradise St., Pullman, WA 99163**

Office Telephone Number: **(509) 338-3207**

Name/Title: **Kurt Dahmen, Recreation Superintendent**

Office Address: **240 SE Dexter St., Pullman, WA 99163**

Office Telephone Number: **(509) 338-3225**

Section 6: Publication and Dissemination of Policy

This policy shall be published and disseminated, at a minimum, in any publication that includes information about the City of Pullman's own athletics programs, or about obtaining a permit for operating athletics programs and on the City of Pullman's website.

ATTACHMENT A

"The legislature finds and declares: On June 23, 1972, President Richard Nixon signed into law Title IX of the Education Amendments of 1972 to the 1964 Civil Rights Act. This landmark legislation provides that: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance...." Title IX has expanded opportunities for males as well as females in educational programs and activities, including ensuring access to athletic opportunities for girls and women in educational institutions and to male and female staff to coaching and athletics administrative positions in educational institutions. The dramatic increases in participation rates at both the high school and college levels since Title IX was passed show that when doors are opened to women and girls, they will participate.

Further, ensuring equality in the state of Washington, the legislature passed an amendment to the state Constitution, ratified by the voters in November 1972, providing "Equality of rights and responsibilities under the law shall not be denied or abridged on account of sex." In 1975, Washington continued to be at the forefront of this issue by adopting legislation that established our own statutory version of the federal Title IX law that prohibited "inequality in the educational opportunities afforded women and girls at all levels of the public schools in Washington state."

Athletic opportunities provide innumerable benefits to participants, including greater academic success, better physical and psychological health, responsible social behaviors, and enhanced interpersonal skills. Athletic scholarships make it possible for some young people to attend college. The Washington state legislature, recognizing the importance of full participation in athletics, has passed numerous bills directed at achieving equity and eliminating discrimination in intercollegiate athletics in the state's institutions of higher education.

Despite advances in educational settings and efforts by some local agencies to expand opportunities in community athletics programs, discrimination still exists that limits these opportunities. It is the intent of the legislature to expand and support equal participation in athletics programs, and provide all sports programs equal access to facilities administered by cities, towns, counties, metropolitan park districts, park and recreation service areas, or park and recreation districts.

Nothing in this act is intended to affect the holding in the Washington state supreme court's ruling in *Darrin v. Gould*, 85 Wn.2d 859, 540 P.2d 882 (1975) and its progeny that held it is not acceptable to discriminate in contact sports on the basis of sex." [2009 c 467 § 1.]