



RESOLUTION NO. 6211

A **RESOLUTION** adopting the City of Everett Parks and Recreation Community Athletics Programs Non-Discrimination Policy.

WHEREAS, in order to achieve the City of Everett Parks and Recreation Department's Strategic Plan Vision Statement by meeting community values and supporting the need and desire for accessible parks, facilities, and programs for people of all ages, the Department and its partners provide community athletics programs on City of Everett owned facilities; and

WHEREAS, with respect to gender, the Department is committed to expanding and supporting equal participation in community athletics programs and providing equal access to Department facilities that support such programs; and

WHEREAS, Washington State Engrossed Substitute Senate Bill (ESSB) 5967, signed into law on May 12, 2009, requires (1) that with respect to community athletics programs, the City and its partners provide both genders equal opportunities to participate and equal use of City facilities and (2) that the City adopt a non-discrimination policy by January 1, 2010; and

WHEREAS, the Everett Board of Park Commissioners, at its November 10, 2009 meeting, voted to recommend to the Everett City Council, the attached Community Athletics Programs Non-Discrimination Policy, which was developed as the result of public input, reviewed by the Everett Board of Park Commissioners, and which fulfills the requirements of ESSB 5967:

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVERETT that the City Council adopts the attached City of Everett Parks and Recreation Community Athletics Programs Non-Discrimination Policy.

A handwritten signature in black ink, appearing to read "Walter G. Olson", written over a horizontal line.

Council Person Introducing Resolution

PASSED and APPROVED this 18th day of November, 2009.

A handwritten signature in black ink, appearing to read "C. H. ...", written over a horizontal line.

Council President

**City of Everett Parks and Recreation
Department's**

**Community Athletics Programs
Non-Discrimination Policy**

**Recommended by Everett Park Board of
Commissioners**

Date: November 10, 2009

Adopted by Everett City Council

Date: November 18, 2009

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1.0 Purpose Statement

The purpose of the Community Athletics Programs Non-Discrimination Policy (the “Policy”) is to help ensure that with regard to gender, the City of Everett Parks and Recreation Department (the “Department”) and third parties providing community athletics/sports programs at Department facilities expand and support equal participation in community athletics programs and provide equal access to Department facilities that support such programs.

The principles, goals, strategies, policy distribution, and policy administration contained in this Policy will guide the Department’s actions with respect to gender.

1.1 Policy Intent

The intent of this Policy is to guide Department staff in determining present and future courses of action, so as to achieve the following:

- a) expand and support equal participation in community athletics/sports programs; and
- b) provide all community athletics/sports programs equal access to Department facilities.

1.2 Background

Title IX of the Education Amendments of 1972 to the 1964 Civil Rights Act bans discrimination on the basis of sex in any education program or activity that receives money from the federal government. The most prominent and well known application of this law has been in the arena of high school and collegiate sports programs.

Outside of the formal structure of high school and collegiate sports programs, individuals participate in a variety of community, private-non-profit, and private-for-profit athletic programs, most of which utilize facilities provided by the public sector. The public sector has increasingly sought to evaluate the state of gender equality with respect to programming and facility use. These evaluations include, for example, facility condition, equipment quality, practice and game scheduling comparability, and the experience level of coaches.

The National Recreation and Parks Association (NRPA) has recognized the important role that parks and recreation agencies play in promoting gender equity with respect to its members’ facilities and recreation programs. As such, NRPA “encourages park and recreation agencies to ensure that facilities are developed and programs are implemented so they meet male and female recreation needs.” NRPA has also encouraged policymakers to “provide facilities and services to achieve the statutory objectives of Title IX: providing both female and male athletes with equitable opportunities to participate and access to quality services and treatment.”

Responding to the call for action, the Washington State Legislature passed Engrossed Substitute Senate Bill 5967, with the vocal support of the Washington

Recreation and Parks Association, the American Civil Liberties Union of Washington, the Women's Sports Foundation, the Northwest Women's Law Center, the National Organization of Women of Washington, and the Association of Washington Cities. Signed by Governor Gregoire on May 12, 2009, the bill represents the State's policy interest in promoting gender equity related to community athletics programs.

1.3 Reference Documents

The Department's Strategic Plan, adopted by the Everett City Council on March 21, 2007 is this Policy's first reference. The Department's Vision Statement identifies that the Department is committed to a) meeting community values; and b) supporting the need and desire for accessible parks, facilities, and programs for people of all ages.

The City of Everett's Anti-Discrimination and Harassment Policy, updated and effective July 1, 2007 is this Policy's second reference. It demonstrates the City's commitment to maintaining a work environment that is free of discrimination and harassment.

Washington State Engrossed Substitute Senate Bill 5967, as signed by Governor Gregoire on May 12, 2009 is this Policy's third reference. ESSB 5967 prohibits gender discrimination with respect to community athletics programs and the use of athletic facilities by all cities, towns, counties, districts, and third parties receiving leases or permits from cities, towns, counties, or districts.

2.0 Definitions

Access, as related to facility use, is the opportunity to use a Department facility that supports the provision of community athletics/sports programs.

Administer is the Department's administrative process of managing or supervising the provision of community athletics/sports programs.

Adoption is the official action by the Everett City Council to approve and formally place this Policy into effect.

All, as related to community athletics/sports programs and their use of facilities, is the accommodation of the utmost possible number of community athletics/sports programs based upon use criteria such as, but not limited to, a) safety; b) facility configuration; c) facility capacity by day/time of desired use; d) impact to equal participation by gender; e) relationship between recreational versus "select" participation; and f) the relationship between resident and non-resident participation.

Community Athletics Programs are athletic programs that are organized for the purpose of training for and engaging in athletic activity and competition and that are in any way operated, conducted, administered, or supported by the City.

Conduct, a synonym of “*operate*”, is the Department’s effort to direct or control the process of providing community athletics/sports programs.

Equal, as related to participation in community athletics/sports programs, means either of the following: a) making available the same number of program participation slots to males and females, whereby in total, participation opportunity slots in Department (non-third party provided) athletics/sports programs is proportional to the gender makeup of the City of Everett; b) scheduling use of facilities that affords males and females who participate in programs at City facilities the same privileges and rights, such as facility use by day, time of day, and quality.

Expand means increasing the probability of equal gender participation in community athletics/sports programs through a Department initiative.

Disseminate is the Department’s process to dispense this Policy.

Facilities are any outdoor or indoor location that is scheduled to accommodate the provision of community athletics/sports programs, including athletic surfaces (e.g. fields, courts), park open space, gymnasiums, or halls.

Operate is a synonym of “conduct” (see above).

Publish is the Department’s process to make this Policy known to its staff and third party community athletics/sports program providers, and the general public.

Sports Programs is a synonym of “community athletics programs” (see above).

Support means promoting equal participation in community athletics/sports programs through Department initiatives, including, but not limited to, advocacy, programming and facility use.

3.0 Principles

3.1 The Department will conduct and operate its community athletics/sports programs in a manner that demonstrates a good faith effort to, over time, achieve this Policy’s goals.

3.2 The Department will develop, implement, and maintain community athletics/sports programs and facilities which help meet the City of Everett’s recreational needs for all males and females.

3.3 The Department is committed to assisting, where possible, third party facility users, such as school districts and sports clubs, to support their efforts to promote and provide opportunities for equal participation in community athletics/sports programs.

3.4 All Department employees are committed to cooperate in fulfilling the intent of this Policy.

4.0 Goals and Objectives

The Department's Community Athletics Programs Non-Discrimination Policy includes a series of goals and objectives. The goals establish the broad based intended outcomes that are envisioned through implementation of this Policy. Each of the goals has one or more objectives. The purpose of the objectives is to identify measurable actions, milestones, and/or metrics to help the Department determine if it is making progress in achieving the stated goals.

4.1 Goal Number One – Department Programs

The Department will operate and conduct community athletics/sports programs in a manner that helps to expand and support equal participation in community athletics/sports programs.

4.1.a Objective Number One

Offer a ratio of community athletics/sports programs participation opportunities (e.g. registration slots in the aggregate) proportional to the gender makeup of the City of Everett.

4.1.b Objective Number Two

On an annual basis, discuss with third parties providing community athletics/sports programs at Department facilities the status of their athletics/sports programs related to administration of this Policy.

4.2 Goal Number Two – Department Facilities

The Department will schedule community athletics/sports programs at its facilities in a manner that provides equal access to such facilities.

4.2.a Objective Number One

The Department will keep track of general participation levels of males and females by sport, sport season, and facility.

4.2.b Objective Number Two

As appropriate, develop additional facility capacity (e.g. scheduling, turf surface, and/or surface square footage) over time to help insure that equal access opportunities exist for community athletics/sports programs.

4.3 Goal Number Three – Participation Opportunities

Undertake measures to encourage females to participate in community athletics/sports programs by providing additional opportunities for participation.

4.3.a Objective Number One

The Department will proactively seek to increase the number of female participants, coaches, referees, and instructors in community athletics/sports programs.

4.3.b Objective Number Two

The Department's athletics core business plan marketing section will specifically include advocacy and promotion strategies to be employed in order to increase opportunities for female participation.

5.0 Policy Distribution

A variety of media will be used to publish and disseminate this Policy. In some media, the Policy will be referenced with respect to its applicability and availability; in other media, the Policy will be included in community athletics/sports programs information "packets." At a minimum, the following media will be employed:

5.1 Publications related to the Department's and third party provided community athletics/sports programs will reference the Policy.

5.2 Applications for scheduled facility use will include the Policy.

5.3 The City of Everett Web Site will include the Policy.

6.0 Policy Administration

The Department's athletics staff will administer this Policy. Policy administration will generally include several activities necessary to evaluate the Policy's effectiveness and/or future potential Policy revisions.

6.1 Implementation

The implementation of this Policy applies to the Department as well as third parties providing community athletics/sports programs at Department facilities.

6.2 Monitoring

The Department will monitor community athletics/sports programs and facility accessibility and use for Policy compliance. The Department will use a combination of quantitative and qualitative data (such as program opportunity slots and customer feedback) to help support its monitoring efforts.

6.3 Evaluation

The Department will prepare a baseline evaluation of community athletics/sports programs within twelve months of Policy adoption. Subsequent to the baseline evaluation the Department will prepare an annual evaluation.