



Mike McGinn, Mayor
City of Seattle

**Mayor McGinn’s Senior Team Meetings
Briefing Form**

1. Project Title: Seattle Parks and Recreation Single-Gender Swim Policy Review

Person submitting	Christopher Williams Christopher.williams@seattle.gov x4-8022
MO Lead	None
City Department(s) involved	Seattle Parks and Recreation
Meeting attendees/titles	Christopher Williams, Acting Superintendent Eric Friedli, Acting Deputy Superintendent Sue Goodwin, Recreation Division Director Cheryl Fraser, Recreation Division Deputy Director Karl Fields, Acting Aquatics Manager

2. Problem Statement, or Question to Resolve:

<p>Should Seattle Parks and Recreation offer single-gender swimming as part of our regular programming?</p> <p>Currently, Seattle Parks and Recreation hosts single-gender swims at three different pools. These swims are private rentals and paid for by grants that have been secured by outside agencies.</p> <p>To offer single-gender swims as a public program would constitute a policy change.</p>

3. Action or Decision Needed: One of the four programs will lose its funding in **March 2013**. To continue this program (at Southwest Pool) we would need to have a made a decision by then.

4. Key Issues or Policy Options:

Issues/Options	Advantages	Disadvantages
Seattle Parks and Recreation could change our policy and make single-gender swims a part of our regular programming.	<ul style="list-style-type: none"> Accommodates traditionally underserved groups—Meets guidelines of Washington Law Against Discrimination (WLAD) 	Seattle Parks and Recreation could be perceived as making unfair accommodations.



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Issues/Options	Advantages	Disadvantages
	<ul style="list-style-type: none"> • Reflects Seattle’s commitment to RSJI • Encourages health and fitness, which dovetails with our Healthy Parks, Healthy You program. • Fits with the Human Services Department’s Healthy Aging Initiatives. • Fits with the City’s priority of being inclusive to immigrant and refugee populations. • Ensures that women and young girls who may not otherwise learn how to swim have an opportunity to do so. 	
<p>Public, single-gender swims would open up opportunities for women whose cultural, personal and/or religious beliefs prevent them from fully benefiting from City services.</p>	<ul style="list-style-type: none"> • Single-gender swims would act just like a public swim, except they would be open only to women. • Swimmers would pay a regular drop-in fee (\$4.75 for 2012; \$5.25 in 2013) • Swimmers who are unable to pay would be eligible to receive scholarships from the Associated Recreation Council. • Can be offered at times when there is the least demand for other swimming programs 	<p>Same as above.</p>
<p>The Law Department advises Seattle Parks and Recreation that the Washington Law Against Discrimination and Seattle’s public accommodation law could allow this policy change.</p>	<p>Reflects City of Seattle’s commitment to addressing the needs of all residents – no matter their limitations.</p>	<p>None.</p>



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Issues/Options	Advantages	Disadvantages
Change the policy to offer single-gender swimming at four locations where there have been private rentals.	The change should be made because of: <ol style="list-style-type: none"> 1. the rising popularity of single-gender swims 2. the City's commitment to RSJI 3. the City's policy of being inclusive to immigrant and refugee populations 4. Parks' commitment to Healthy Parks, Healthy You 5. the advice of the Law Department 	<ol style="list-style-type: none"> 1. Depending on the time of day, program offering could supplant higher revenue programs (not likely but the best time of day for the single gender swims based on participant feedback could conflict with other well-attended programs). 2. There is some down time between swims to clear the lobby, cover windows, etc. We would need to plan on a half hour on both ends. 3. If programs took place before noon, custodial staff would need monitoring based on gender.

5. Please list relevant budget implications to the general fund and other funds.

Seattle Parks and Recreation does not anticipate budget implications. Women who cannot afford to swim can apply for and receive a scholarship.

6. Please list relevant race and social justice issues and potential unintended impacts of the policy or action, including steps to mitigate:

Creating this opportunity to serve traditionally underserved populations enhances program diversity, removes potential financial barriers, serves immigrant and refugee populations more effectively, and creates partnerships.

7. Next Actions and Dates: The impetus for bringing this decision before the Mayor is that the Southwest Pool group has insecure funding after March 2013.



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Background

Seattle Parks and Recreation hosts single-gender swim rental programs at three swimming pools -- Meadowbrook, Medgar Evers (moved from Rainier Beach) and Southwest.

Parks single-gender swims serve a population who, because of cultural, social, personal or religious reasons, are uncomfortable or unable to swim in front of the opposite sex. Additional barriers can include limited physical exercise opportunities, limited financial resources, and English as a second language. Participants largely identify as Muslim. Orthodox Jews also participate.

These pool rentals provide recreational, therapeutic, learning and exercise opportunities that contribute directly to the health and well being of the participants.

The rentals have been very well attended, showing a high demand. Each of the single-gender swims can accommodate about 40 people – and most are at capacity during each rental. Staff cover the windows of the facility during the rental. Only female lifeguards are used.

History

The single-gender swims began about 10 years ago at Meadowbrook Pool in northeast Seattle with the North Seattle Family Center paying the full rental fees. This program has been in place the longest, has a stable source of funding and is well attended.

Several years later, the Rainier Beach program originated from a grant written by Seattle Children's Hospital. This is the point at which Parks began referring to the events as "Women of the World" swims. There have been many funders of the Rainier Beach program (see below). This group was relocated to Medgar Evers. When Rainier Beach Pool reopens in Autumn 2013, there is a community expectation that the Women of the World Swims will return at that location. Due to the popularity of the program at Medgar Evers, Parks plans to continue this single gender swim, and add back a single-gender swim at Rainier Beach Community Center and Pool in September 2013.

The group at Southwest Pool is the newest group, and has been funded by the non-profit Neighborhood House located in High Point their "Be Active Together," community program. Parks has reduced rental rates significantly for this group, waiving most costs except for staff fees. A new funding source would be needed to allow the program at Southwest Pool to continue after March 2013. Parks' partner agency, the Associated Recreation Council, has been seeking funding to support the Southwest group.



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Women of the World single-gender swims

Pool	Nonprofit sponsor	Frequency	Rental type	Staff
Meadowbrook	North Seattle Family Center (affiliated with Children's Home Society)	Once a month for 1.5 hours Second Sunday of the month from 7 – 8:30 p.m.	Recreation swim only No lessons are given.	2 lifeguards
Medgar Evers/ Rainier Beach*	New Holly Family Center (Sponsors have varied over the years, including Department of Neighborhoods, Harborview, Children's Hospital, and the Atlantic Street Center.)	Weekly for 1.5 hours Saturdays from 5 – 7:30 p.m.	Swimming lessons. This group also allows young boys to swim. Half-hour lessons are given to the young boys, then to the young girls and finally to teenage girls and women	3 lifeguards
Southwest	Neighborhood House	42 sessions per year for 1.5 hours	Swimming lessons Two half-hour swim lessons are followed by 15 minutes of personal practice.	3 lifeguards

**As part of the remodel, special window coverings will be installed at the new Rainier Beach Pool to assure privacy, which is essential to these swims.*

Legal Implications.

In the past, Parks has operated the swims as rentals instead of public programs to avoid the possibility of a lawsuit. In more than 10 years, the program has grown from one location for 1.5 hours a month to three locations – with the possibility of a fourth – to 9 hours a month, serving as many as 120 women.

Because of the great success of the program and the possibility that one of the sites will lose its programming, we contacted the Law Department to get legal advice on the possibility of making single-gender swims public policy. The Law Department advised us that a policy change implementing single-gender swims can be defended based on Washington's Law Against Discrimination (WLAD) and Seattle's public accommodation law.



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The two laws together prohibit discrimination against protected persons in places of public accommodation, such as public swimming pools. Law also advised us that under both the WLAD and the Seattle Municipal Code it is not an unfair practice or discrimination to apply a law that has equal application to all persons:

It shall be an unfair practice for any person or the person's agent or employee to commit an act which directly or indirectly results in any distinction, restriction, or discrimination, or the requiring of any person to pay a larger sum than the uniform rates charged other persons, or the refusing or withholding from any person the admission, patronage, custom, presence, frequenting, dwelling, staying, or lodging in any place of public resort, accommodation, assemblage, or amusement, except for conditions and limitations established by law and applicable to all persons, regardless of race, creed, color, national origin, sexual orientation, sex, honorably discharged veteran or military status, status as a mother breastfeeding her child, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability.

Conclusion

We believe Seattle Parks and Recreation should institute public, single-gender swims based on:

1. the rising popularity of single-gender swims
2. the City's commitment to RSJI
3. the City's policy of being inclusive to immigrant and refugee populations
4. Parks' commitment to Healthy Parks, Healthy You
5. the advice of the Law Department

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