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**SUBSTITUTE SENATE BILL 5837**

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**State of Washington**

**60th Legislature**

**2007 Regular Session**

**By** Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Kohl-Welles, Keiser, Fraser, Rockefeller, Hobbs, Delvin, Tom, Prentice, McAuliffe, Jacobsen and Kline)

READ FIRST TIME 02/28/07.

1       AN ACT Relating to monitoring compliance with sexual equality laws;  
2 amending RCW 28A.640.030; and creating a new section.

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

4       NEW SECTION.   **Sec. 1.** The legislature finds that Washington state  
5 and the nation benefit from equal educational opportunities for all  
6 students and employees of the public schools. The legislature further  
7 finds that in recognition of this benefit, numerous existing state and  
8 federal constitutional provisions, laws, rules, and regulations  
9 prohibit, and provide redress against, harassment and discrimination.  
10 In doing so, these laws and regulations promote the protection and  
11 well-being of students and staff. The legislature further finds that  
12 lack of monitoring compliance with these laws and regulations  
13 significantly weakens these protections and that the state has a  
14 responsibility to identify noncompliance, coordinate resources, and  
15 provide a greater presence by monitoring compliance more frequently  
16 than is currently done. Additionally, the legislature recognizes that  
17 regular and increased monitoring can play an important role in  
18 preventing problems from arising by ensuring the school district's  
19 understanding of its responsibilities under state and federal law; can

1 benefit the state by reducing the costs associated with complaints and  
2 lawsuits due to noncompliance; and will further protect Washington's  
3 students from suffering the harmful effects of discrimination,  
4 harassment, and sexual misconduct.

5 **Sec. 2.** RCW 28A.640.030 and 1975 1st ex.s. c 226 s 3 are each  
6 amended to read as follows:

7 (1) The office of the superintendent of public instruction shall be  
8 required to monitor the compliance by local school districts with this  
9 chapter, including districts' compliance with state and federal laws,  
10 rules, and regulations concerning sexual harassment, sexual misconduct,  
11 and sex discrimination of students and employees, and employee and  
12 student knowledge of those laws, rules, and regulations and of their  
13 reporting responsibilities. The office of the superintendent of public  
14 instruction shall establish a compliance timetable and (~~regulations~~)  
15 rules for enforcement of this chapter, and shall establish guidelines  
16 for (~~affirmative action~~) nondiscrimination programs to be adopted by  
17 all school districts.

18 (2) The compliance monitoring process shall be conducted on a  
19 three-year cycle, with one-third of the school districts reporting each  
20 year. The office of the superintendent of public instruction shall  
21 conduct on-site district visits for at least one-fourth of the  
22 districts that are reporting each year.

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