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**SENATE BILL 5355**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senators Orwall, Slatter, Dhingra, Hasegawa, Nobles, Stanford, Trudeau, Valdez, and C. Wilson

Read first time 01/20/25. Referred to Committee on Higher Education & Workforce Development.

1 AN ACT Relating to improving safety at institutions of higher  
2 education while supporting student survivors of sexual assault;  
3 amending RCW 28B.112.040 and 28B.10.147; adding new sections to  
4 chapter 28B.112 RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** The legislature recognizes that policies  
7 concerning sex-based violence and harassment have evolved into a  
8 survivor-focused, victim-centered approach on a state level. While  
9 college campuses have been working in this area, this approach has  
10 not been fully realized yet, and sex-based violence and harassment  
11 remain a major barrier for students working to achieve their  
12 educational goals.

13 The legislature finds that, according to the rape, abuse, and  
14 incest national network, postsecondary students are at high risk for  
15 sex-based violence and harassment; among undergraduate and graduate  
16 students, 13 percent experience sexual assault or rape during their  
17 postsecondary schooling years. Undergraduate women in particular  
18 experience even higher rates, with more than one in four experiencing  
19 sexual assault or rape.

20 The legislature acknowledges that postsecondary students lack  
21 adequate protections against sex-based violence and harassment as

1 well as avenues for justice, and that survivors need access to more  
2 relevant, timely, and sensitive resources. Although the state has  
3 invested in student safety on campus, the ongoing rates of sex-based  
4 violence and harassment demand the legislature's action and attention  
5 to protect students and ensure they are able to successfully achieve  
6 their potential.

7 Therefore, the legislature intends to provide survivors at  
8 postsecondary institutions with certain protections, resources, and  
9 accommodations to help them navigate the aftermath of traumatic sex-  
10 based and gender-based violence and harassment.

11 NEW SECTION. **Sec. 2.** (1) In addition to all other rights  
12 provided in law, a student at an institution of higher education in  
13 Washington who is a survivor of sex-based violence and harassment has  
14 the right to:

15 (a) Engage with employees who have been trained in trauma-  
16 informed care. Institutions of higher education must clearly list on  
17 their website the campus-based employees trained in trauma-informed  
18 care. The employees are responsible for responding to survivor  
19 disclosures. Title IX employees at each institution of higher  
20 education who may interact with a survivor of sex-based violence and  
21 harassment must receive at least three hours of training on  
22 relationship violence, abuse dynamics, impacts of trauma on the body,  
23 and other forms of violence. The institution of higher education must  
24 provide the training in accordance with section 4 of this act;

25 (b) A quick and timely institutional investigation process not to  
26 exceed six months from the date an investigation is initiated, unless  
27 extenuating circumstances exist. Students must be kept informed on  
28 the status of the investigation throughout the entirety of the  
29 process;

30 (c) Mental health or counseling services, on campus or off-site,  
31 regardless of whether the student chooses to make a formal report  
32 through the campus Title IX office or to law enforcement. The  
33 institution of higher education must make a good faith effort to  
34 ensure students have access to no less than eight visits with the  
35 same mental health provider either in person or electronically via  
36 telehealth;

37 (d) Access to confidential support services, which may include  
38 peer advocates, campus-affiliated advocates, and gender-based  
39 violence support groups. Beginning with the 2027-28 academic year,

1 institutions of higher education must hire and train campus-  
2 affiliated advocates. A campus-affiliated advocate trained in trauma-  
3 informed care, consistent with the current standards for initial and  
4 continuing education training of domestic violence program staff,  
5 must be available within two business days of a report being made to  
6 the Title IX office or campus-based advocacy office. Survivors must  
7 have the option to be accompanied by a campus-affiliated advocate or  
8 peer advocate trained in trauma-informed care, while engaged in  
9 seeking support services or reporting concerns to an institution of  
10 higher education related to sex-based or gender-based violence and  
11 harassment. Peer advocates must be trained in trauma-informed care  
12 consistent with current standards for initial and continuing  
13 education training of domestic violence program staff. Campus-  
14 affiliated advocates may include personnel from the institution or  
15 from a partnership with a community-based victim's advocacy  
16 organization;

17 (e) Request supportive measures. Supportive measures must be  
18 nondisciplinary, nonpunitive individualized services and must be  
19 offered as appropriate, as reasonably available, and without fee or  
20 charge, regardless of whether a formal complaint has been filed.  
21 Supportive measures must aim to restore or preserve a student's  
22 access to the institution of higher education's programs and  
23 activities without unreasonably burdening the other party, and to  
24 provide support during the institution of higher education's informal  
25 resolution or formal complaint processes, as determined through an  
26 interactive process between the campus Title IX office, the student,  
27 and relevant employees, such as faculty when an academic adjustment  
28 is requested. No information about the survivor's experience may be  
29 shared in the course of facilitating supportive measures with  
30 relevant employees or other third parties, unless specifically  
31 requested by the survivor. Supportive measures may include, but are  
32 not limited to:

- 33 (i) Counseling and other medical assistance;  
34 (ii) Extensions of deadlines or other academic adjustments;  
35 (iii) Modifications of on-campus work or class schedules;  
36 (iv) Leaves of absence;  
37 (v) Increased security or monitoring of certain areas of campus;  
38 and  
39 (vi) Directives prohibiting the parties from contacting one  
40 another in housing or work situations;

1 (f) Have court-issued no-contact and restraining orders honored  
2 and reported to university police and security services by a trained  
3 employee, such as a campus-affiliated advocate when requested to do  
4 so by the survivor;

5 (g) Be made aware by a campus-based employee if the employee is a  
6 Title IX required reporter and to which office the employee will  
7 share the information provided by the survivor; and

8 (h) Access to a no-fee attorney through an organization that  
9 serves the entire state and is focused on sexual assault.

10 (2) For purposes of this section, "institutions of higher  
11 education" include (a) the state universities, the regional  
12 universities, and the state college as defined in RCW 28B.10.016, and  
13 (b) all community and technical colleges that serve 8,000 or more  
14 students.

15 NEW SECTION. **Sec. 3.** (1) The state university located in  
16 Pullman, the state university located in Seattle, the regional  
17 university in Ellensburg, the regional university in Bellingham, and  
18 all community and technical colleges that serve 8,000 or more  
19 students shall establish or expand an existing committee to include a  
20 student health and safety committee that includes representatives  
21 from various groups, such as admissions, counseling, health care,  
22 violence prevention, health promotion, students, campus-affiliated  
23 advocates, and faculty and other academic personnel. The committee  
24 shall evaluate barriers that impact survivors of sex-based and  
25 gender-based violence and harassment and their ability to access  
26 services and obtain supportive measures at institutions of higher  
27 education, and will collaborate with outside organizations and  
28 entities focused on survivors of sex-based and gender-based violence  
29 and harassment.

30 (2) The student health and safety committee shall:

31 (a) Evaluate existing supportive measures and make  
32 recommendations on how to facilitate existing processes to better  
33 serve survivors in requesting supportive measures;

34 (b) Form relationships with local victims' advocacy  
35 organizations; and

36 (c) Assess various institutional staffing models of campus-  
37 affiliated advocates and make recommendations.

38 (3) The student health and safety committee shall annually report  
39 its recommendations developed under subsection (2) of this section to

1 the appropriate committees of the legislature in accordance with RCW  
2 43.01.036.

3 (4) Beginning with the 2026-27 academic year, the state college,  
4 the state universities, and the regional universities as defined in  
5 RCW 28B.10.016 that serve 8,000 or more students shall work with the  
6 student health and safety committee to develop questions for student  
7 feedback on relevant issues on sex-based and gender-based violence  
8 and harassment and students' ability to access services for the  
9 campus climate assessment required in RCW 28B.10.147.

10 NEW SECTION. **Sec. 4.** (1) Beginning in the 2026 fall academic  
11 term, the state university located in Pullman, the state university  
12 located in Seattle, the regional university in Ellensburg, the  
13 regional university in Bellingham, and all community and technical  
14 colleges that serve 8,000 or more students, shall collaborate with a  
15 community-based organization focused on survivors of sexual assault,  
16 sexual harassment, and sex-based violence to provide:

17 (a) Employee-specific training for the employees specified in  
18 subsection (3) of this section, on sensitivity in interacting with  
19 survivors of sexual assault, sexual harassment, and sex-based  
20 violence; and

21 (b) Sex-based and gender-based violence and harassment education  
22 to students specified in subsection (4) of this section, including:

23 (i) How to access support services regardless of whether a formal  
24 complaint is filed;

25 (ii) The availability and role of confidential resources  
26 including counseling and campus-affiliated advocates;

27 (iii) How to file a formal complaint with the campus' Title IX  
28 office and the applicable law enforcement agency;

29 (iv) Affirmative consent;

30 (v) What conduct constitutes a violation of the institution of  
31 higher education's sex-based discrimination policy;

32 (vi) Bystander intervention;

33 (vii) Employee-required reporting;

34 (viii) How to provide support to survivors of sexual violence as  
35 a peer; and

36 (ix) Information on services available to survivors on and off  
37 campus, including:

1 (A) Those offered by a regional community-based organization  
2 providing 24/7 support for survivors of sexual assault, sexual  
3 harassment, and sex-based and gender-based violence;

4 (B) Costs associated with submitting a sexual assault kit;

5 (C) Transportation for medical exams;

6 (D) Free counseling services; and

7 (E) How to obtain legal counsel at any administrative hearing for  
8 the survivor at no cost to the student or institution.

9 (2) Institutions must make a good-faith effort to include  
10 perspectives from sexual assault survivors in the training and  
11 education required under subsection (1) of this section.

12 (3) The training required in subsection (1)(a) of this section  
13 must be provided to:

14 (a) All campus-based employees identified by the institution of  
15 higher education as having job duties that include interacting with a  
16 survivor of sex-based violence and harassment as provided in section  
17 2(1)(a) of this act; and

18 (b) All other campus-based employees, not already identified in  
19 this section, whose education may be in-person or via electronic  
20 means annually.

21 (4) The education required in subsection (1)(b) of this section  
22 must be provided to:

23 (a) All newly matriculated students, including transfer students  
24 and graduate students;

25 (b) Student athletes as defined in RCW 19.225.010, who must  
26 receive and attend the education in person;

27 (c) Resident advisors, prior to the start of the academic year,  
28 who must receive and attend the education in person;

29 (d) Students planning on pledging membership to a social  
30 fraternity and sorority organization, who must receive and attend the  
31 education in person prior to pledging; and

32 (e) Other student groups as identified by the institution of  
33 higher education that historically have had unique adjustment issues  
34 to campus or have been shown to be important messengers for  
35 affirmative consent, who must receive and attend the education in  
36 person.

37 (5) Unless otherwise specified, the education established in this  
38 section may be provided online, or by other means.

1        NEW SECTION.    **Sec. 5.**    Beginning in the 2027 fall academic term,  
2 each state university, regional university, and the state college, as  
3 defined in RCW 28B.10.016, must include the phone number of a  
4 regional community-based organization focused on survivors of sexual  
5 assault, sexual harassment, and sex-based and gender-based violence  
6 that provides 24/7 support on the back of each student's  
7 identification card.

8        NEW SECTION.    **Sec. 6.**    Postsecondary educational institutions may  
9 not propose, request, or pressure a student reporting sexual  
10 misconduct in a complaint filed with the institution under Title IX  
11 or otherwise, with law enforcement, or in a civil court action to  
12 enter into a nondisclosure agreement relating to the alleged sexual  
13 misconduct by another student or employee of the institution.

14        NEW SECTION.    **Sec. 7.**    (1) The Title IX process may not exceed  
15 180 business days from the date a decision is made to proceed with an  
16 investigation report unless extenuating circumstances exist. The  
17 timeline for each step of the Title IX process is as follows:

18        (a) The institution of higher education must provide to the  
19 student information on available resources, including information on  
20 the Title IX process, counseling services, and campus-affiliated  
21 advocates, within two business days of the Title IX office receiving  
22 a report, unless extenuating safety factors exist for the survivor;

23        (b) The initial assessment must be completed within 10 business  
24 days of the student meeting with the Title IX employee and providing  
25 the necessary information to complete an assessment, including  
26 whether the investigation will proceed under Title IX or the  
27 institution of higher education's internal process or if the concern  
28 will be addressed in a different manner;

29        (c) The investigation must be completed within 120 business days  
30 of the initial report or disclosure. This process includes the final  
31 decision and subsequent hearings; and

32        (d) If a sanction is issued it must be determined and  
33 administered within 10 business days of the final decision.

34        (2) If the process will take longer than 180 business days due to  
35 extenuating circumstances, the institution of higher education must  
36 provide a written explanation to the student, including the reason  
37 for the delay and when the process is expected to be completed.

1 (3) Students must be kept informed on the status of the  
2 investigation and, if conducted, the hearing, throughout the entirety  
3 of the Title IX process.

4 (4) Beginning with the 2028-29 academic year, the state  
5 university located in Pullman, the state university located in  
6 Seattle, the regional university in Ellensburg, the regional  
7 university in Bellingham, and all community and technical colleges  
8 that serve 8,000 or more students shall provide an option online for  
9 students to report a Title IX violation. All institutions of higher  
10 education are also encouraged to provide the online tracking tool, so  
11 a student may track the Title IX process.

12 NEW SECTION. **Sec. 8.** Sections 2 through 7 of this act are each  
13 added to chapter 28B.112 RCW.

14 **Sec. 9.** RCW 28B.112.040 and 2023 c 79 s 2 are each amended to  
15 read as follows:

16 The definitions in this section apply throughout this (~~section~~  
17 ~~and RCW 28B.112.050 through 28B.112.080~~) chapter unless the context  
18 clearly requires otherwise.

19 (1) "Applicant" means a person applying for employment as  
20 faculty, instructor, staff, advisor, counselor, coach, athletic  
21 department staff, and any position in which the applicant will likely  
22 have direct ongoing contact with students in a supervisory role or  
23 position of authority. "Applicant" does not include enrolled students  
24 who are applying for temporary student employment with the  
25 postsecondary educational institutions, unless the student is a  
26 graduate student applying for a position in which the graduate  
27 student will have a supervisory role or position of authority over  
28 other students. "Applicant" does not include a person applying for  
29 employment as medical staff or for employment with an affiliated  
30 organization, entity, or extension of a postsecondary educational  
31 institution, unless the applicant will have a supervisory role or  
32 position of authority over students.

33 (2) "Association" means a scholarly or professional organization  
34 or learned society that sponsors activities or events for the benefit  
35 of individuals affiliated with postsecondary educational  
36 institutions, with a code of conduct forbidding sexual misconduct at  
37 such activities or events, and established investigative procedures  
38 for allegations that the code of conduct has been violated.



1           (3) "Campus-affiliated advocate" has the same meaning as defined  
2 in RCW 28B.112.030.

3           (4) "Employee" means a person who is receiving or has received  
4 wages as an employee from the postsecondary educational institutions  
5 and includes current and former workers, whether the person is  
6 classified as an employee, independent contractor, or consultant, and  
7 is in, or had, a position with direct ongoing contact with students  
8 in a supervisory role or position of authority. "Employee" does not  
9 include a person who was employed by the institution in temporary  
10 student employment while the person was an enrolled student unless  
11 the student, at the time of employment, is or was a graduate student  
12 in a position in which the graduate student has or had a supervisory  
13 role or authority over other students. "Employee" does not include a  
14 person employed as medical staff or with an affiliated organization,  
15 entity, or extension of a postsecondary educational institution,  
16 unless the employee has or had a supervisory role or position of  
17 authority over students. A person who would be considered an  
18 "employee" under this subsection, remains an "employee" even if the  
19 person enrolls in classes under an institution's employee tuition  
20 waiver program or similar program that allows faculty, staff, or  
21 other employees to take classes.

22           ~~((4))~~ (5) "Employer" includes postsecondary educational  
23 institutions in this or any other state.

24           ~~((5))~~ (6) "Investigation" means a procedure initiated in  
25 response to a formal complaint, as defined in 34 C.F.R. Sec. 106.30,  
26 provided that the procedure fully complies with the provisions of 34  
27 C.F.R. Sec. 106.45.

28           ~~((6))~~ (7) "Postsecondary educational institution" means an  
29 institution of higher education as defined in RCW 28B.10.016, a  
30 degree-granting institution as defined in RCW 28B.85.010, a private  
31 vocational school as defined in RCW 28C.10.020, or school as defined  
32 in RCW 18.16.020, that participates in the state student financial  
33 aid program.

34           ~~((7))~~ (8) "Sex-based and gender-based violence and harassment"  
35 includes all forms of sex-based harassment including, but not limited  
36 to:

37           (a) Hostile environment;

38           (b) Quid pro quo;

39           (c) Sexual assault;

40           (d) Domestic violence;

- 1       (e) Dating violence;
- 2       (f) Stalking;
- 3       (g) Voyeurism;
- 4       (h) Indecent exposure; and
- 5       (i) Sexual exploitation.

6       (9) "Sexual misconduct" includes, but is not limited to,  
7       unwelcome sexual contact, unwelcome sexual advances, requests for  
8       sexual favors, other unwelcome verbal, nonverbal, electronic, or  
9       physical conduct of a sexual nature, sexual harassment, and any  
10      misconduct of a sexual nature that is in violation of the  
11      postsecondary educational institution's policies or has been  
12      determined to constitute sex discrimination pursuant to state or  
13      federal law.

14      ~~((+8))~~ (10) "Student" means a person enrolled at ~~((a~~  
15      ~~postsecondary educational))~~ an institution and for whom educational  
16      records are maintained.

17      ~~((+9))~~ (11) "Substantiated findings" means a written  
18      determination regarding responsibility as described in 34 C.F.R. Sec.  
19      106.45(b)(7) prepared at the conclusion of an investigation, as  
20      amended by any appeals process.

21      **Sec. 10.** RCW 28B.10.147 and 2021 c 275 s 3 are each amended to  
22      read as follows:

23      (1)(a) The institutions of higher education as defined in RCW  
24      28B.10.016 shall each conduct a campus climate assessment to  
25      understand the current state of diversity, equity, and inclusion in  
26      the learning, working, and living environment on campus for students,  
27      faculty, and staff. The assessment shall occur, at minimum, every  
28      five years. Institutions of higher education shall use the results of  
29      the campus climate assessment to inform the professional development,  
30      established in RCW 28B.10.145, and program, established in RCW  
31      28B.10.149. Institutions may use an existing campus climate  
32      assessment to meet this requirement.

33      (b) The state board for community and technical colleges shall  
34      develop a model campus climate assessment for the community and  
35      technical colleges that the colleges may use or modify to meet the  
36      requirements of this section.

37      (2) The design of an existing or new campus climate assessment  
38      must involve, at minimum, students, college and university diversity  
39      officers, faculty, and staff. The campus climate assessment must

1 include, at minimum, an evaluation of student and employee attitudes  
2 and awareness of campus diversity, equity, and inclusion issues. The  
3 campus climate assessment (~~may also~~) must include questions  
4 evaluating the prevalence of discrimination, sexual assault,  
5 harassment, and retaliation on and off campus, in addition to  
6 student, faculty, and staff knowledge of campus policies and  
7 procedures addressing discrimination, sexual assault, harassment, and  
8 retaliation. Questions related to sexual assault must include those  
9 developed by the student health and safety committee on sex-based and  
10 gender-based violence and harassment and students' ability to access  
11 services required in section 3(3) of this act. College and university  
12 diversity officers and students must be consulted in the development  
13 of recommendations.

14 (3) Institutions of higher education must, at minimum, conduct  
15 annual listening and feedback sessions for diversity, equity, and  
16 inclusion for the entire campus community during periods between  
17 campus climate assessments. Institutions of higher education must, to  
18 the maximum extent practicable, compensate students for their  
19 participation in the annual listening and feedback sessions.

20 (4) Beginning July 1, 2022, the institutions of higher education  
21 shall report findings or progress in completing their campus climate  
22 assessment and, when applicable, information on their listening and  
23 feedback sessions annually to either the state board for community  
24 and technical colleges or an organization representing the presidents  
25 of the public four-year institutions of higher education. The  
26 institutions of higher education must also publish annually on the  
27 institution's public website the results of either the campus climate  
28 assessment or listening and feedback sessions.

29 (5) The state board for community and technical colleges may  
30 require colleges to repeat their campus climate assessment. An  
31 organization representing the presidents of the public four-year  
32 institutions of higher education may also request state universities,  
33 regional universities, and The Evergreen State College to repeat  
34 their campus climate assessment.

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