

# FINAL BILL REPORT

## ESSB 5563

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Synopsis as Enacted

**Brief Description:** Regarding training for school employees in the prevention of sexual abuse.

**Sponsors:** Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Kohl-Welles, Litzow, Rolfes, Keiser, McAuliffe and Kline).

**Senate Committee on Early Learning & K-12 Education**  
**House Committee on Education**

**Background:** Currently, the Office of Superintendent of Public Instruction (OSPI) does not require teachers, administrators, and educational staff to receive sex abuse prevention training. However, the Professional Educator Standards Board (PESB) does. PESB requires the training for initial, continuing, and professional certification.

Commercial sexual abuse of a minor occurs when a person does any of the following:

- pays a fee to a minor or a third person as compensation for a minor having engaged in sexual conduct with that person;
- pays or agrees to pay a fee to a minor or a third person pursuant to an understanding that in return such minor will engage in sexual conduct with that person; or
- solicits, offers, or requests to engage in sexual conduct with a minor in return for a fee.

The crime of commercial sexual abuse of a minor was created in law in 2007.

Sexual exploitation of a minor occurs when a person does any of the following:

- compels a minor by threat or force to engage in sexually explicit conduct, knowing that such conduct will be photographed or part of a live performance;
- aids, invites, employs, authorizes, or causes a minor to engage in sexually explicit conduct, knowing that such conduct will be photographed or part of a live performance; or
- being a parent, legal guardian, or person having custody or control of a minor, permits the minor to engage in sexually explicit conduct, knowing that the conduct will be photographed or part of a live performance.

The crime of sexual exploitation of a minor was created in law in 1984.

The Washington Coalition of Sexual Assault Programs is a nonprofit organization that provides information and training to programs and individual members who work with victims and the general public on sexual assault.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Summary:** To receive initial certification as a teacher in this state after August 31, 1991, an applicant must successfully complete a course on issues of abuse. The content of the course must discuss the identification of physical abuse, emotional abuse, sexual abuse, commercial sexual abuse of a minor, sexual exploitation of a minor, and substance abuse; information on the impact of abuse on the behavior and learning abilities of students; discussion of the responsibilities of a teacher to report abuse or provide assistance to students who are the victims of abuse; and methods for teaching students about abuse of all types and their prevention.

The Washington Coalition of Sexual Assault Programs, in consultation with a number of other organizations and entities must, by June 1, 2014, update existing educational materials made available throughout the state to inform parents and other interested community members about how to prevent children from being recruited into sex trafficking, among other issues.

Certificated and classified school employees must receive training regarding their reporting obligations for student physical abuse or sexual misconduct victimization in their orientation training and then every three years thereafter. The training required may be incorporated within existing training programs and related resources.

**Votes on Final Passage:**

Senate	49	0
House	97	0

**Effective:** July 28, 2013.