

SHB 1539 - S COMM AMD  
By Committee on Ways & Means

ADOPTED 03/01/2018

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature recognizes that every  
4 child should experience emotional and physical development that is  
5 free from abuse and neglect. In 2015, Washington child protective  
6 services received reports screened in for investigation that alleged  
7 the sexual abuse or sexual exploitation, or both, of two thousand six  
8 hundred three children. Further, the legislature finds that most  
9 sexual assaults are unreported. The legislature also finds that a  
10 clear relationship exists between youth victimization and mental  
11 health problems and delinquent behavior.

12 (2) The legislature finds that thirty-one states have enacted  
13 Erin's laws. Erin's laws, named in honor of a childhood sexual  
14 assault survivor, are intended to help children, teachers, and  
15 parents identify sexual abuse, and to provide assistance, referral,  
16 or resource information for children and families who are victims of  
17 child sexual abuse. The legislation adopted in these states requires  
18 the study or development of age-appropriate child sexual abuse  
19 identification and prevention.

20 (3) The legislature finds that the federal every student succeeds  
21 act, P.L. 114-95, as signed into law by President Barack Obama on  
22 December 10, 2015, provides federal funding that can be used for the  
23 implementation of programs established in accordance with Erin's  
24 laws.

25 (4) The legislature, therefore, intends to incorporate curriculum  
26 for the prevention of sexual abuse of students in kindergarten  
27 through twelfth grade, such as Erin's law, into an existing statewide  
28 coordinated program for the prevention of child abuse and neglect.

29 **Sec. 2.** RCW 28A.300.150 and 2006 c 263 s 705 are each amended to  
30 read as follows:

1       (1) The superintendent of public instruction shall collect and  
2 disseminate to school districts information on and curricula for the  
3 coordinated program for the prevention of sexual abuse of students in  
4 kindergarten through twelfth grade, child abuse, and neglect  
5 ((prevention curriculum and)) established in RCW 28A.300.160. The  
6 superintendent shall also adopt rules ((dealing with)) addressing the  
7 prevention of sexual abuse of students in kindergarten through  
8 twelfth grade and child abuse for purposes of ((curriculum use))  
9 curricula used in ((the common)) public schools.

10       (2) Effective July 1, 2018, the superintendent of public  
11 instruction and the ((departments of social and health services and  
12 community, trade, and economic development)) department of children,  
13 youth, and families shall share relevant information in furtherance  
14 of this section.

15       (3) Subject to the availability of amounts appropriated for this  
16 specific purpose, on or before June 30, 2019, the superintendent of  
17 public instruction must review any existing curricula related to the  
18 prevention of sexual abuse of students in kindergarten through  
19 twelfth grade. The review required by this subsection must evaluate  
20 the curricula for alignment with the provisions of RCW  
21 28A.300.160(2).

22       **Sec. 3.** RCW 28A.300.160 and 1995 c 399 s 21 are each amended to  
23 read as follows:

24       (1)(a) Subject to the availability of amounts appropriated for  
25 this specific purpose, the office of the superintendent of public  
26 instruction shall be the lead agency and shall assist the department  
27 of ((social and health services, the department of community, trade,  
28 and economic development,)) children, youth, and families and school  
29 districts in establishing a coordinated ((primary prevention))  
30 program for the prevention of sexual abuse of students in  
31 kindergarten through twelfth grade, child abuse, and neglect.

32       (b) The office of the superintendent of public instruction must,  
33 for any curriculum included within a program for the prevention of  
34 sexual abuse of students in kindergarten through twelfth grade, seek  
35 advice and comments regarding the curriculum from:

36       (i) The Washington association of sheriffs and police chiefs;

37       (ii) The Washington association of prosecuting attorneys;

38       (iii) The Washington state school directors' association;

39       (iv) The association of Washington school principals;

- 1       (v) The center for children and youth justice;
- 2       (vi) Youthcare;
- 3       (vii) The committee for children;
- 4       (viii) The office of crime victim advocacy in the department of
- 5 commerce; and
- 6       (ix) Other relevant organizations.

7       (2) In developing the program, consideration shall be given to  
8 the following:

9       (a) Parent, teacher, and children's workshops whose information  
10 and training is:

11       (i) Provided in a clear, age-appropriate, nonthreatening manner,  
12 delineating the problem and the range of possible solutions;

13       (ii) Culturally and linguistically appropriate to the population  
14 served;

15       (iii) Appropriate to the geographic area served; and

16       (iv) Designed to help counteract common stereotypes about the  
17 sexual abuse of students in kindergarten through twelfth grade, child  
18 abuse victims, and offenders;

19       (b) Training for school-age children's parents and school staff,  
20 which includes:

21       (i) Physical and behavioral indicators of abuse;

22       (ii) Crisis counseling techniques;

23       (iii) Community resources;

24       (iv) Rights and responsibilities regarding reporting;

25       (v) School district procedures to facilitate reporting and  
26 apprise supervisors and administrators of reports; and

27       (vi) Caring for a child's needs after a report is made;

28       (c) Training for licensed day care providers and parents that  
29 includes:

30       (i) Positive child guidance techniques;

31       (ii) Physical and behavioral indicators of abuse;

32       (iii) Recognizing and providing safe, quality day care;

33       (iv) Community resources;

34       (v) Rights and responsibilities regarding reporting; and

35       (vi) Caring for the abused or neglected child;

36       (d) Training for children that includes:

37       (i) The right of every child to live free of abuse;

38       (ii) How to disclose incidents of abuse and neglect;

39       (iii) The availability of support resources and how to obtain  
40 help;

1 (iv) Child safety training and age-appropriate self-defense  
2 techniques; and

3 (v) A period for crisis counseling and reporting immediately  
4 following the completion of each children's workshop in a school  
5 setting which maximizes the child's privacy and sense of safety.

6 (3) The (~~primary~~) coordinated prevention program established  
7 under this section (~~shall be~~) is a voluntary program and (~~shall~~  
8 ~~not be~~) is not part of the state's program of basic (~~program of~~)  
9 education.

10 (4) Parents shall be given notice of the (~~primary~~) coordinated  
11 prevention program and may refuse to have their children participate  
12 in the program.

13 NEW SECTION. Sec. 4. A new section is added to chapter 28A.230  
14 RCW to read as follows:

15 Subject to the availability of amounts appropriated for this  
16 specific purpose, the office of the superintendent of public  
17 instruction shall make the curriculum included under section 3(1)(b),  
18 chapter . . ., Laws of 2018 (section 3(1)(b) of this act) available  
19 on its web site.

20 NEW SECTION. Sec. 5. If specific funding for the purposes of  
21 this act, referencing this act by bill or chapter number, is not  
22 provided by June 30, 2018, in the omnibus appropriations act, this  
23 act is null and void."

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24 On page 1, line 2 of the title, after "students;" strike the  
25 remainder of the title and insert "amending RCW 28A.300.150 and  
26 28A.300.160; adding a new section to chapter 28A.230 RCW; and  
27 creating new sections."

EFFECT: (1) Changes the date that the Superintendent of Public  
Instruction (SPI) must review any existing curricula related to the  
prevention of sexual abuse from September 1, 2018, to June 30, 2019.  
(2) Adds "subject to the availability of amounts appropriated for  
this specific purpose" to SPI requirements.

(3) Adds a null and void clause.

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