

HOUSE BILL REPORT

ESB 5355

As Reported by House Committee On:
Education

Title: An act relating to mandating instruction on sex trafficking prevention and identification for students in grades seven through 12.

Brief Description: Mandating instruction on sex trafficking prevention and identification for students in grades seven through 12.

Sponsors: Senators Wilson, C., Kuderer, Lovelett, Nguyen, Randall, Valdez and Wellman.

Brief History:

Committee Activity:

Education: 3/16/23, 3/28/23 [DPA].

Brief Summary of Engrossed Bill
(As Amended By Committee)

- Requires school districts, charter schools, and state-tribal education compact schools, beginning no later than the 2025-26 school year, to offer instruction in sex trafficking awareness and prevention at least once to each student in grades 7 through 12.
- Requires the Office of the Superintendent of Public Instruction (OSPI), subject to funding provisions, to review curricula related to the awareness and prevention of sex trafficking by June 30, 2024.
- Requires the OSPI, to the extent practicable, to make curricular resources related to the awareness and prevention of sex trafficking available in a library of openly licensed courseware and delineates related information to be included.
- Establishes the Child Sexual Abuse and Sex Trafficking Prevention and Identification Public-Private Partnership Account and specifies that expenditures from the account may be used only for curriculum and professional development to support instruction on child sexual abuse

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

and sex trafficking prevention and identification.

HOUSE COMMITTEE ON EDUCATION

Majority Report: Do pass as amended. Signed by 13 members: Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist, Callan, Eslick, Harris, Ortiz-Self, Pollet, Sandlin, Stonier and Timmons.

Minority Report: Without recommendation. Signed by 2 members: Representatives McClintock and Steele.

Staff: Ethan Moreno (786-7386).

Background:

State law establishes instructional and other requirements related to identifying and preventing sexual abuse and violence involving students. Examples of those requirements are described below.

The Office of the Superintendent of Public Instruction (OSPI) is designated as the lead agency charged with assisting the Department of Children, Youth, and Families and school districts in establishing a coordinated program for the prevention of sexual abuse, child abuse, and neglect of students in kindergarten through grade 12. The OSPI is required to collect and disseminate to school districts information on and curricula for the program.

The OSPI is also required to adopt rules addressing the prevention of sexual abuse and child abuse of students in kindergarten through grade 12 for purposes of a public school curricula. Additionally, the OSPI has adopted a prevention and intervention resource guide for educators, and others, titled *Commercial Sexual Exploitation, Abuse and Trafficking of Children and Youth*.

At the local level, school districts are required to adopt plans for the recognition, initial screening, and response to emotional or behavioral distress in students, including, but not limited to, indicators of possible substance abuse, violence, youth suicide, and sexual abuse. School districts must provide the plan to all district staff each year.

Mandatory comprehensive sexual health education for students in grades 4 through 12 must include information about specified issues and subjects, including:

- the development of intrapersonal and interpersonal skills to communicate, respectfully and effectively, to reduce health risks, and choose healthy behaviors and relationships based on mutual respect and affection, and free from violence, coercion,

- and intimidation;
 - the development of meaningful relationships and avoidance of exploitative relationships; and
 - affirmative consent and recognizing and responding safely and effectively when violence, or a risk of violence, is or may be present.
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Summary of Amended Bill:

Beginning no later than the 2025-26 school year, school districts, charter schools, and state-tribal education compact schools must offer instruction in sex trafficking awareness and prevention at least once to each student, with the instruction offered in grades 7 through 12. The instruction, at the discretion of the school or school district, may be integrated into a relevant course or a course may be repurposed to include the instruction.

Subject to the availability of amounts appropriated for this specific purpose, on or before June 30, 2024, the OSPI must review curricula related to the awareness and prevention of sex trafficking.

To the extent practicable, the OSPI must make available in a library of openly licensed courseware curricular resources related to the awareness and prevention of sex trafficking that include:

- information about the race, gender, and socioeconomic status of sex trafficking victims and perpetrators;
- medically and legally accurate definitions of sex trafficking, and information about term stigmatization and how it may reduce reporting and increase the difficulty of detecting and prosecuting sex trafficking crimes;
- information about reporting systems and community engagement opportunities with local, state, or national organizations against sex trafficking, and basic identification training to determine if an individual is at risk of or has been sex trafficked; and
- information to help students recognize the signs and behavior changes in others that may indicate grooming for sex trafficking or other unlawful, coercive relationships.

The Child Sexual Abuse and Sex Trafficking Prevention and Identification Public-Private Partnership Account (Account) is created in the custody of the State Treasurer. All receipts from gifts, grants, or endowments from public or private sources, federal funds, and any appropriations made by the Legislature or other sources must be deposited into the Account.

Expenditures from the Account may be used only for curriculum and professional development to support instruction on child sexual abuse and sex trafficking prevention and identification. Only the Superintendent of Public Instruction (SPI) or the SPI's designee may authorize expenditures from the Account.

Amended Bill Compared to Engrossed Bill:

The amended bill changes the engrossed bill by:

- removing provisions requiring school districts to provide instruction on sex trafficking prevention and identification at least once between grades 7 and 12, beginning no later than the 2025-26 school year, and instead requiring school districts, charter schools, and state-tribal education compact schools, beginning no later than the 2025-26 school year, to offer instruction in sex trafficking awareness and prevention at least once to each student in grades 7 through 12;
- requiring the OSPI, subject to funding provisions, to review curricula related to the awareness and prevention of sex trafficking by June 30, 2024; and
- requiring the OSPI, to the extent practicable, to make curricular resources related to the awareness and prevention of sex trafficking available in a library of openly licensed courseware, and delineating related information to be included.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Many pregnant teens are victims of exploitation and sexual abuse. South King County has a high number of trafficked individuals, in part because of its proximity to nearby ports. Sex trafficking is not a local or state problem, it is a global one.

This bill is the result of six years of effort. Stakeholders recommend three to four lessons for students about trafficking, with students learning about the issues factually and without bias. Support exists for having students become change-makers by hearing the truth about trafficking. Statewide implementation of a curriculum is underway, and the course will be piloted in three school districts. The course should not be considered a burden, but rather as a few lessons that could change lives.

(Opposed) The statistics provided in this bill are terrifying. Perhaps there should be more time and effort spent training law enforcement and prosecutors. Perhaps the training required by the bill should be directed to parents. Warning and teaching students about sex trafficking is a responsibility of the parents, not the schools.

Persons Testifying: (In support) Senator Claire Wilson, prime sponsor; and Ria Bahadur.

(Opposed) Mary Long, Conservative Ladies of Washington.

Persons Signed In To Testify But Not Testifying: None.