

WAC 392-410-150 Sexual abuse prevention curricula. (1) **Authority and purpose.** The authority for this chapter is RCW 28A.300.150, which requires the superintendent of public instruction to adopt rules addressing the prevention of sexual abuse of students in kindergarten through twelfth grade and child abuse for purposes of curricula used in public schools. The purpose of this chapter is to address the prevention of child sexual abuse of students in kindergarten through twelfth grade for purposes of curricula used in public schools.

(2) **Definitions.** As used in this chapter the terms:

(a) "Charter school" means a public school governed by a charter school board and operated according to the terms of a charter contract executed under chapter 28A.710 RCW.

(b) "Child sexual abuse prevention" means the prevention of unwanted conduct of a sexual nature occurring once or repeatedly in youth in kindergarten through twelfth grade. This may include, but is not limited to, the following:

- (i) Sexual abuse;
- (ii) Sexual exploitation;
- (iii) Sexual violence; or
- (iv) Sexual assault.

(c) "Child sexual abuse prevention curriculum" means written instructional materials used with students in kindergarten through twelfth grade for the purpose of child sexual abuse prevention during a unit of study expressly intended for that purpose.

(d) "Parent" has the same meaning as in WAC 392-172A-01125.

(e) "Tribal compact school" means a school that is:

(i) The subject of a state-tribal education compact that is approved and executed in accordance with this chapter; and

(ii) Operated according to the terms of a state-tribal education compact.

(3) **Local option.** School districts, charter schools, and tribal compact schools may, at their discretion, implement child abuse prevention curricula in accordance with this chapter.

(4) **Resources.** All school districts, charter schools, or tribal compact schools that implement a child sexual abuse prevention curriculum must review the information, recommendations, and resources disseminated by the office of superintendent of public instruction under RCW 28A.300.150 before implementing the curriculum.

(5) **Notification.**

(a) **Notice to parents.** School districts, charter schools, and tribal compact schools must, at least one month before teaching a child sexual abuse prevention curriculum in any classroom or other public school venue, provide notice to parents of the planned instruction and that the materials or course of study are available for inspection. Such notification includes all formats of instruction included in the child sexual abuse prevention curriculum including, but not limited to, written materials, guest speakers, classroom presentations, videos, electronically formatted materials.

(b) **Notice to students.** At least one month before teaching a child sexual abuse prevention curriculum in any classroom or other public school venue, school districts, charter schools, and tribal compact schools must provide notice to students of the planned instruction. The notification must inform students that parents have received notice of the planned instruction pursuant to this section.

(6) **Excusal of students.**

(a) **Written request.** Any parent who wishes to have their child excused from any planned instruction in child sexual abuse prevention

may do so upon filing a written request to the school in accordance with school policy. The school must make the appropriate forms available to parents for such requests.

(b) **Excusal of students.** Alternative educational opportunities must be provided to excused students.

(7) **Policies and procedures.** School districts, charter schools, and tribal compact schools that adopt a child sexual abuse curriculum must maintain policies and procedures regarding reporting and responding to child sexual abuse, and provide professional development related to child sexual abuse.

[Statutory Authority: RCW 28A.300.150. WSR 19-16-138, § 392-410-150, filed 8/6/19, effective 9/6/19.]