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**ENGROSSED SUBSTITUTE HOUSE BILL 1998**

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**State of Washington 66th Legislature 2019 Regular Session**

**By** House College & Workforce Development (originally sponsored by Representatives Pellicciotti, Leavitt, Jinkins, Callan, Stonier, Valdez, Frame, Stanford, Pollet, Tarleton, Bergquist, Santos, Macri, and Doglio)

AN ACT Relating to creating a task force to provide more certainty and clarity for institutions of higher education and our communities regarding campus sexual violence policies and procedures; adding a new section to chapter 28B.77 RCW; creating a new section; and providing an expiration date.

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

NEW SECTION. **Sec.**  (1) The legislature recognizes that campus sexual violence and misconduct are pervasive and underreported problems that impact our communities, particularly women, students of color, LGBTQ students, and students living with disabilities. A significant number of college students will experience sexual assault and misconduct, including domestic violence, dating violence, and stalking, while attending institutions of higher education in this state. To effectively address and prevent these problems, policies and procedures must take a trauma-informed approach and affirmatively protect survivors.

(2) Institutions' policies are informed by and must be consistent with numerous overlapping state and federal laws, regulations, and policies. Title IX, the federal law intended to prevent discrimination in education on the basis of a person's sex, and its implementing regulations and policies, are subject to change based on administration priorities. Those changes could erode rights and protections for survivors and undermine campus sexual violence policies. The legislature also recognizes that it is difficult to anticipate what changes might be made, thereby making it difficult to know how best to protect survivors in this state's institutions of higher education.

(3) The legislature further recognizes that policies, procedures, and protections regarding campus sexual violence must be clear, consistent, and predictable to meaningfully address and prevent this problem. The legislature therefore intends to create a task force to analyze and recommend changes to state laws, regulations, policies, or procedures to ensure that Washington's institutions of higher education maintain robust, trauma-informed, and survivor-centered campus sexual violence policies in the event federal regulations, policies, or guidelines under Title IX erode.

NEW SECTION. **Sec.**  A new section is added to chapter 28B.77 RCW to read as follows:

(1)(a) A task force on Title IX protections and compliance is established. The Title IX protections and compliance task force shall consist of the following members:

(i) One member from each of the two largest caucuses of the senate, appointed by the president of the senate;

(ii) One member from each of the two largest caucuses of the house of representatives, appointed by the speaker of the house of representatives;

(iii) The attorney general or the attorney general's designee;

(iv) One member representing each of the following, to be appointed jointly by the president of the senate and the speaker of the house of representatives: The state sexual assault coalition; the independent four-year private universities; the private degree-granting institutions and private career colleges; the state affiliate of a national organization focused on civil liberties; and any other agency, organization, or entity the president of the senate and the speaker of the house of representatives agree upon as appropriate;

(v) Three members representing campus sexual assault survivors, to be appointed jointly by the president of the senate and the speaker of the house of representatives, upon recommendation by a sexual assault advocacy organization;

(vi) One member representing the public four-year institutions of higher education and one member representing the state community and technical colleges, to be appointed by the governor; and

(vii) The superintendent of public instruction or the superintendent's designee.

(b) The task force shall choose its chair from among its legislative membership. The chair shall convene the initial meeting of the task force no later than August 1, 2019.

(2) The task force shall:

(a) Examine legislative, administrative, and other options to ensure that this state provides clear, consistent, and comprehensive protections for survivors that are consistent with federal law;

(b) Develop model procedures, policies, and guidance for institutions of higher education to implement in this state; and

(c) Evaluate and recommend oversight and accountability measures, including the feasibility of establishing a statewide office to implement, monitor, and ensure the consistency of campus sexual violence policies statewide.

(3) When carrying out its duties, including developing procedures, policies, and guidance, and to avoid duplicative work, the task force shall take into consideration the work and the recommendations of the campus sexual violence prevention task force created in 2015.

(4) The council shall provide staff support for the task force.

(5) The task force shall report its findings and recommendations to the appropriate committees of the legislature after changes to the Title IX federal regulations have been adopted.

(6) This section expires January 1, 2022.

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