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## Education Committee

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### HB 1817

**Brief Description:** Supporting survivors of sexual assault in public elementary and secondary schools.

**Sponsors:** Representatives Scott, Pollet, Doglio, Berry, Parshley, Obras, Goodman, Street, Macri, Taylor, Salahuddin, Ryu and Hill.

#### Brief Summary of Bill

- Directs the Legislative Youth Advisory Council to lead a collaborative discussion about the requirements for mandatory reporting of child abuse or neglect and make certain recommendations to the Legislature.
- Directs the Office of the Superintendent of Public Instruction to post staff training materials on trauma-informed, survivor-centered responses to disclosures of sexual abuse, misconduct, and assault and to develop a student and family guide on laws, policies, and procedures related to this topic and mandatory reporting.
- Requires mandatory reporter training for school employees to promote trauma-informed and survivor-centered responses and include bystander intervention training on employee sexual abuse of students.

**Hearing Date:** 2/13/25

**Staff:** Megan Wargacki (786-7194).

#### **Background:**

Report: Supporting Survivors of Sexual Assault in Public Schools.

The 2022 Supplemental Operating Budget directed the Office of Superintendent of Public Instruction (OSPI) to complete research on best practices, review mandatory reporting laws,

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conduct listening sessions, update model protocols, and develop a training plan for schools to be better prepared to respond to sexual assault and to support survivors in schools. The OSPI was required to consult with the Department of Children, Youth, and Families, law enforcement professionals, sexual assault survivor organizations and advocates, and educators. The OSPI hired a contractor to complete the work and, as required, reported its findings and recommendations to the Legislature in 2023.

#### Mandatory Reporting of Child Abuse or Neglect.

"Abuse or neglect of a child" generally means sexual abuse or exploitation or other injury to the child by any person, or negligent treatment or maltreatment of a child by a person responsible for or providing care to the child.

When certain people, including "professional school personnel," have reasonable cause to believe that a child has suffered abuse or neglect, they are required to report the incident to the proper law enforcement agency or to the Department of Children, Youth and Families.

"Reasonable cause" means a person witnesses or receives a credible written or oral report alleging abuse or neglect of a child.

Certificated and classified school employees who have knowledge or reasonable cause to believe that a student has been a victim of physical abuse or sexual misconduct by another school employee must report the abuse or misconduct to the appropriate school administrator. If the school administrator has reasonable cause to believe that the misconduct or abuse occurred, the school administrator must then report to the proper law enforcement agency.

#### Training Requirements.

Certificated and classified school employees must receive training regarding their reporting obligations in their orientation training when hired and then every three years thereafter.

#### Sexual Harassment Policy.

School districts are required to adopt and implement a sexual harassment policy that applies to all employees, volunteers, parents, and students. The policy must be reviewed by the OSPI according to criteria that address grievance procedures, remedies to victims of sexual harassment, disciplinary actions against violators of the policy, and other subjects at the discretion of the OSPI.

The sexual harassment policy must be conspicuously posted in each school building, provided to each employee, and included in any publication setting forth the rules and standards of conduct for the school or school district.

#### Legislative Youth Advisory Council.

The Legislative Youth Advisory Council (LYAC) was established to examine issues of importance to youth. The LYAC consists of at least 22 students aged 14 to 18. The Office of the Lieutenant Governor supervises and supports the LYAC. The LYAC must meet at least three times per year and must report annually to the Legislature on its activities.

## **Summary of Bill:**

### Mandatory Reporting Discussion and Report.

The Legislative Youth Advisory Council, with support of the Office of the Lieutenant Governor, must lead a collaborative discussion about the requirements for mandatory reporting of child abuse or neglect. The purpose of this discussion is to solicit student feedback and to have students collaborate with relevant agencies and organizations. The discussion must include a review of the following:

1. school employee mandatory reporter training requirements;
2. the model policies and procedures of the Washington State School Directors' Associations (WSSDA) related to this topic;
3. mandatory reporting-related components of the 2023 report entitled "Supporting Survivors of Sexual assault in K-12 Schools," including the summary of the student listening sessions and the contractor's report and recommendations; and
4. existing systems that school districts are using for students to report concerns.

The LYAC must conduct this discussion in no more than three meetings, and the meetings must include representatives from at least eight specified agencies and organizations.

By December 1, 2025, the LYAC must report to the OSPI, WSSDA, and the Legislature with any recommendations it has for amending these laws to follow trauma-informed and survivor-centered best practices and any recommendations related to the training materials and the contents of the student and family guide, both described below.

### Training Requirements and Materials.

Effective August 1, 2027, training related to mandatory reporting required when certificated and classified school employees are hired and every three years thereafter must promote trauma-informed and survivor-centered responses to sexual abuse, misconduct, and assault, and must include bystander intervention training on employee sexual abuse of students.

By November 1, 2026, the OSPI must post on its website staff training materials on trauma-informed, survivor-centered responses to disclosures of sexual abuse, misconduct, and assault, including best practices for working with local community experts. These materials, which must be updated periodically, must initially consider any recommendations developed by the LYAC.

### Student and Family Guide.

By November 1, 2026, the OSPI, in collaboration with WSSDA and local community experts, must develop a student and family guide to the school district sexual harassment policy and other laws, policies, and procedures related to sexual abuse, misconduct, assault, and mandatory reporting of child abuse or neglect. The student and family guide must consider any recommendations developed by the LYAC, be culturally informed, and be translated into the most common non-English languages spoken across the state. School districts are encouraged to make the guide available to students and families, especially those participating in the sexual harassment complaint process.

**Appropriation:** None.

**Fiscal Note:** Available. New fiscal note requested on February 19, 2025.

**Effective Date:** The bill contains multiple effective dates. Please see the bill.