

# SENATE BILL REPORT

## SB 5935

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As Reported by Senate Committee On:  
Early Learning & K-12 Education, February 25, 2009

**Title:** An act relating to education programs for the prevention of child abuse in public schools.

**Brief Description:** Regarding public school education programs for the prevention of child abuse.

**Sponsors:** Senators McDermott and Kohl-Welles.

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 2/16/09, 2/25/09 [DPS-WM].

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Majority Report:** That Substitute Senate Bill No. 5935 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King, Ranking Minority Member; Brandland, Hobbs, Holmquist, Jarrett, McDermott and Roach.

**Staff:** Juliana Roe (786-7438)

**Background:** Under current law, the Office of the Superintendent of Public Instruction (OSPI) is directed to collect and disseminate to school districts information on child abuse and neglect prevention curriculum as well as establish a primary prevention program for child abuse and neglect. School districts must have a written policy about the prevention of child abuse and neglect and, within the resources available, participate in the primary prevention program or another program.

Additionally, when any professional school personnel has reasonable cause to believe that a child has suffered abuse or neglect, that person is required to report the incident to the proper law enforcement agency or the Department of Social and Health Services.

OSPI receives money from the U.S. Department of Education Title IV Safe and Drug-free Schools funding. In order for school districts to receive this funding, they must submit an application to OSPI. If OSPI approves the application, the money is provided to the school district on a formula basis. OSPI uses a portion of the remaining monies to fund staff to

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implement the agency requirements, such as administering and approving applications, data collection, conducting program reviews, and providing training and technical assistance. Any remaining funds go into the agency federal program consolidated administration pool to be used to implement the entire No Child Left Behind act.

**Summary of Bill (Recommended Substitute):** OSPI, in consultation with professionals in the field of child abuse and interested organizations, must establish a statewide child abuse prevention program to be incorporated into existing programs at each public school. This program must be in place and made available to school districts by January 1, 2010. School districts must include in their audits with OSPI a report on the implementation of this requirement at each school. OSPI must report its findings to the Legislature. OSPI must implement and conduct these activities using only federal funding provided through the U.S. Department of Education for school safety and prevention programs.

Three statutes are repealed. The statutes required OSPI to collect and disseminate to school districts information on child abuse and neglect prevention curriculum as well as establish a primary prevention program for child abuse and neglect, and they required every school district and school board of directors to establish and participate in programs relating to child abuse and neglect prevention.

**EFFECT OF CHANGES MADE BY EARLY LEARNING & K-12 EDUCATION COMMITTEE (Recommended Substitute):** Provides a date by which the child abuse prevention program must be in place and available to school districts.

**Appropriation:** None.

**Fiscal Note:** Requested on February 10, 2009.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Original Bill:** PRO: There are various organizations that would be able to provide a partnership with OSPI to help prevent child abuse in schools. School systems around the country have found that using good, research-based prevention programs work. During the 80s and 90s, the average age of sexual assault victims fell from 11.5 to seven years of age. There was also a shift in sexual assault from penetration to illegal touching. It also appears that these prevention programs have begun to interrupt the grooming process much sooner. It is important to have prevention programs because children deserve the tools to protect themselves.

**Persons Testifying:** PRO: Joan Duffell, Committee for Children; Lonnie Johns-Brown, Washington Coalition of Sexual Assault Programs; David Beard, Council for Children and Families; Seth Dawson, Washington State Association of Children's Advocacy Centers; Hoover Chamblis, Mt. Zion Learning; Shawna McMahon, Archdiocese of Seattle.