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## Public Safety Committee

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### SJM 8006

**Brief Description:** Requesting Congress, the President, and the Departments of Education, Health and Human Services, and Justice to take action to implement the recommendations of the Government Accountability Office concerning efforts to prevent and respond to child sexual abuse by school personnel and sexual abuse between peers.

**Sponsors:** Senators Kohl-Welles, Litzow, McAuliffe, Rolfes, Dammeier, Keiser, Darneille and Frockt.

#### Brief Summary of Bill

- Requests Congress, the President, and the federal Departments of Education, Health and Human Services, and Justice to take action to implement the recommendations from the Government Accountability Office concerning efforts to prevent and respond to child sexual abuse by school personnel and sexual abuse between peers.

**Hearing Date:** 3/13/15

**Staff:** Yvonne Walker (786-7841).

#### Background:

Federal laws prohibit sexual harassment, including sexual abuse, in federally funded education programs and set minimum standards for state laws on reporting suspected child abuse. Child sexual abuse is generally known as the act of forcing a child to engage in sexual activity with a perpetrator. However, it can also include other behaviors such as grooming, sexual misconduct, and child sexual abuse.

In January 2014, the United States Government Accountability Office (GAO) issued a report entitled "Federal Agencies Can Better Support State Efforts to Prevent and Respond to Sexual Abuse by School Personnel." The report examined: (1) steps that states and school districts have taken to help prevent child sexual abuse by school personnel; (2) states' and school districts' reporting requirements and approaches to investigating allegations of child sexual abuse

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by school personnel; and (3) the extent to which federal agencies have made efforts to prevent and respond to child sexual abuse by school personnel. The GAO reviewed relevant federal laws and regulations and surveyed state educational agencies in 50 states and the District of Columbia.

The report made four findings:

1. The reporting and investigating of child sexual abuse cases often involves multiple agencies and school districts. This leads to agencies: (1) interference with each other's investigations; (2) subjecting children to multiple interviews; (3) not sharing reports; and (4) alerting alleged perpetrators prematurely of investigations.
2. Multiple federal agencies provide resources to address abuse by school personnel, but coordination among federal agencies to leverage their resources and disseminate information to assist state and local efforts is limited.
3. The prevalence of child sexual abuse by school personnel is unknown and although several federal agencies collect data, none systematically identify the extent of sexual abuse by school personnel and efforts to track and analyze such data is limited.
4. Regulations under federal Title IX (of the 1972 Education Amendment) require schools to have procedures in place to protect students from sexual abuse by school personnel; however, the limited understanding by states on how federal Title IX funding requirements apply to allegations of suspected sexual abuse or misconduct by school personnel against K-12 students hinders state and local efforts to properly address such cases, prevent such behaviors and actions in the future, and ultimately protect children from harm.

The report recommended that the United States Department of Education collaborate with the United States Departments of Health and Human Services and Justice to compile and disseminate information to states that: (1) outline steps that can be taken to prevent and respond to child sexual abuse by school personnel; (2) identifies a way to track the prevalence of sexual abuse; and (3) clarifies and disseminates information on how Title IX applies to personnel-to-student sexual abuse in the K–12 setting.

#### **Summary of Bill:**

The Washington Legislature requests that the United States Congress, the President, and the federal Departments of Education, Health and Human Services, and Justice take action to support and implement recommendations of the GAO to address personnel-to-student sexual abuse and continue to address peer-to-peer sexual abuse.

**Appropriation:** None.

**Fiscal Note:** Not requested.