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**College & Workforce Development  
Committee**

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**HB 1998**

**Brief Description:** Creating a task force on sexual violence at institutions of higher education.

**Sponsors:** Representatives Pellicciotti, Leavitt, Jenkins, Callan, Stonier, Valdez, Frame, Stanford, Pollet, Tarleton, Bergquist, Santos, Macri and Doglio.

**Brief Summary of Bill**

- Creates a joint legislative task force on Title IX protections and compliance, to examine options, develop model policies, and recommend oversight on campus sexual violence at institutions of higher education.

**Hearing Date:** 2/19/19

**Staff:** Trudes Tango (786-7384).

**Background:**

Title IX refers to the federal law that prohibits discrimination on the basis of sex in federally funded educational benefits, programing, or activities. Every institution of higher education that accepts federal funds must comply with Title IX. Under Title IX, institutions of higher education must adopt grievance procedures providing for the "prompt and equitable" resolution of sex discrimination complaints.

In September 2017, the U.S. Department of Education (DOE) issued new guidance regarding how institutions of higher education address sexual harassment and sexual violence under Title IX. The DOE rescinded policies previously published in 2014 and is engaged in new rulemaking.

In addition to Title IX, there are other federal laws, such as the Clery Act and the Violence Against Women Act, that require institutions of higher education to report on campus sexual

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violence and develop policy statements on preventing sexual violence. State laws also require institutions of higher education to develop regulations and guidelines to eliminate sex discrimination.

In 2015, the Legislature created a campus sexual violence prevention task force to, among other things, develop best practices and recommendations to promote awareness of campus sexual violence, enhance student safety, improve institutions' policies, and improve collaboration between institutions and law enforcement. The task force issued a final report in 2016 with recommendations on funding, prevention education, training, communications, and other issues.

### **Summary of Bill:**

The Legislature recognizes that institutions of higher education must have policies that are consistent with overlapping state and federal laws and that Title IX regulations are subject to changes. The Legislature intends to create a task force to analyze and recommend changes to state laws, regulations, policies, and procedures to ensure institutions of higher education have robust, trauma-informed, and survivor-centered policies in the event federal regulations under Title IX erode.

A joint legislative task force on Title IX protections and compliance (task force) is established. Members of the task force consist of:

- one member from each of the two largest caucuses of the Senate, appointed by the President of the Senate;
- one member from each of the two largest caucuses of the House, appointed by the Speaker of the House of Representatives;
- the Attorney General (AG) or the AG's designee;
- one member representing each of the following, appointed jointly by the President of the Senate and the Speaker of the House: sexual assault advocates, the independent four-year private universities; the private degree-granting institutions and private career colleges; and any other entity the President of the Senate and the Speaker of the House agree upon;
- three members representing campus sexual assault survivors, appointed by the President of the Senate and the Speaker of the House, upon recommendation by a sexual assault advocacy organization;
- one member representing the public four-year institutions of higher education, appointed by the Governor; and
- one member representing the public community and technical colleges, appointed by the Governor.

The task force must choose its chair from among its legislative membership and the chair must convene the first meeting by July 1, 2019.

The task force must:

- examine legislative, administrative, and other options to ensure that the state provides clear, consistent, and comprehensive protections consistent with federal law;
- develop model procedures, policies, and guidance for institutions of higher education to implement; and

- 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.

The Washington Student Achievement Council must provide staff support for the task force. The expenses of the task force must be paid jointly by the Senate and the House. The task force must report its findings and recommendations to the appropriate committees of the Legislature by December 1, 2019.

The task force expires January 1, 2021.

**Appropriation:** None.

**Fiscal Note:** Requested on February 14, 2019.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.