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**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, Jenkins, Callan, Stonier, Valdez, Frame, Stanford, Pollet, Tarleton, Bergquist, Santos, Macri, and Doglio)

READ FIRST TIME 02/22/19.

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

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

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

17 (2) Institutions' policies are informed by and must be consistent  
18 with numerous overlapping state and federal laws, regulations, and  
19 policies. Title IX, the federal law intended to prevent  
20 discrimination in education on the basis of a person's sex, and its  
21 implementing regulations and policies, are subject to change based on

1 administration priorities. Those changes could erode rights and  
2 protections for survivors and undermine campus sexual violence  
3 policies. The legislature also recognizes that it is difficult to  
4 anticipate what changes might be made, thereby making it difficult to  
5 know how best to protect survivors in this state's institutions of  
6 higher education.

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

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 28B.77  
17 RCW to read as follows:

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

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

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

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

27 (iv) One member representing each of the following, to be  
28 appointed jointly by the president of the senate and the speaker of  
29 the house of representatives: The state sexual assault coalition; the  
30 independent four-year private universities; the private degree-  
31 granting institutions and private career colleges; and any other  
32 agency, organization, or entity the president of the senate and the  
33 speaker of the house of representatives agree upon as appropriate;

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

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

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

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

9 (2) The task force shall:

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

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

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

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

20 (4) The task force shall report its findings and recommendations  
21 to the appropriate committees of the legislature by December 1, 2019.

22 (5) This section expires January 1, 2021.

23 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
24 preservation of the public peace, health, or safety, or support of  
25 the state government and its existing public institutions, and takes  
26 effect immediately.

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