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**HOUSE BILL 2242**

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**State of Washington**

**68th Legislature**

**2024 Regular Session**

**By** Representatives Orwall, Pollet, Ramel, Callan, Fosse, Leavitt, Davis, and Morgan

Read first time 01/09/24. Referred to Committee on Postsecondary Education & Workforce.

1 AN ACT Relating to supporting sexual assault survivors at  
2 institutions of higher education; amending RCW 28B.110.020; adding  
3 new sections to chapter 28B.112 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature recognizes that policies  
6 concerning sexual assault, sexual harassment, and gender-based  
7 violence have evolved into a survivor-focused, victim-centered  
8 approach on a state level. This approach has not been reflected on  
9 college campuses, and sexual assault, sexual harassment, and gender-  
10 based violence remain a major barrier for students working to achieve  
11 their educational goals. Postsecondary students lack protections  
12 against sexual assault, sexual harassment, and gender-based violence  
13 as well as avenues for justice. Survivors at postsecondary  
14 institutions should be entitled to certain protections, resources,  
15 and accommodations to help them navigate the aftermath of traumatic  
16 sexual assault, sexual harassment, and gender-based violence.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 28B.112  
18 RCW to read as follows:

19 (1) In addition to all other rights provided in law, a student at  
20 an institution of higher education in Washington who is a survivor of

1 sexual assault, sexual harassment, and gender-based violence has the  
2 right to:

3 (a) Engage with staff who have been trained in trauma-informed  
4 care throughout the entirety of the disclosing process. Institutional  
5 staff who are trained in trauma-informed care must be listed on each  
6 institution of higher education's website in an easily accessible  
7 place. Title IX staff at each institution of higher education who may  
8 interact with a survivor of sexual assault, sexual harassment, and  
9 gender-based violence must receive at least three hours of training  
10 on relationship violence, abuse dynamics, impacts of trauma on the  
11 body, and other forms of violence. The institution of higher  
12 education shall provide the training in accordance with section 4 of  
13 this act;

14 (b) A quick and timely institutional investigation process not to  
15 exceed six months from the date an investigation is initiated;

16 (c) In-person or live electronic education on reporting sexual  
17 assault, sexual harassment, and gender-based violence at institutions  
18 of higher education and available resources, including confidential  
19 advocates, for students who have experienced sexual assault, sexual  
20 harassment, and gender-based violence on campus. Education must be  
21 provided at the beginning of each academic term;

22 (d) Protection from legal retaliation for reporting sexual  
23 assault, sexual harassment, and gender-based violence on campus,  
24 including strategic lawsuit against public participation lawsuits  
25 advanced by a person being accused of sexual assault, sexual  
26 harassment, sexual misconduct, or sexual violence. Institutions of  
27 higher education must have a policy against legal retaliation for  
28 reporting sexual assault, sexual harassment, and gender-based  
29 violence;

30 (e) Mental health or counseling services, on campus or off-site,  
31 regardless of whether the student chooses to make a formal report  
32 through Title IX or to law enforcement. The institution of higher  
33 education shall make a good faith effort to ensure students have  
34 access to no less than six visits with the same mental health  
35 provider either in person or electronically via telehealth;

36 (f) Access to support services, including peer advocates,  
37 confidential advocates, and gender-based violence support groups. A  
38 confidential advocate trained in trauma-informed care must be  
39 available within two business days of a report being made. Public  
40 four-year institutions of higher education shall provide 24/7

1 transportation access to sexual assault nurse examiners and forensic  
2 medical services on campus or at a medical facility. Survivors must  
3 have the option to be accompanied by a confidential advocate or peer  
4 advocate trained in trauma-informed care. Peer advocates must be  
5 trained in trauma-informed care and have 40 hours of basic advocacy  
6 training provided by the institution;

7 (g) Academic accommodations to prevent academic harm. A  
8 confidential advocate must be available to a survivor to assist with  
9 the accommodation request. Survivors must be permitted to attend  
10 class through alternate means including through online access. Once  
11 an accommodation is requested under this subsection, the requesting  
12 survivor's instructors shall record classes and lectures when  
13 feasible for playback at a later date. Accommodations must be  
14 available to sexual assault survivors regardless of whether the  
15 student requesting accommodations has made a formal report through  
16 Title IX. Students shall not be required to disclose sexual assault  
17 to faculty in order to receive academic accommodations under this  
18 subsection;

19 (h) Have court-issued no-contact and restraining orders honored  
20 and reported to university police and security services by a trained  
21 staff person such as a confidential advocate;

22 (i) Be made aware by an employee if the employee is a Title IX  
23 mandatory reporter and to whom the employee reports.

24 (2) As used in this section, "confidential advocate" means a  
25 person trained in trauma-informed care to provide a safe and  
26 confidential space to help survivors of sexual assault, sexual  
27 harassment, and gender-based violence identify what steps to take,  
28 what resources they need, what their rights and options are, and what  
29 options they have for reporting on campus and to law enforcement.  
30 Confidential advocates do not report incidents to the university.

31 NEW SECTION. **Sec. 3.** A new section is added to chapter 28B.112  
32 RCW to read as follows:

33 (1) Public institutions of higher education that serve 8,000  
34 students or more shall establish a student health and safety  
35 committee that includes representatives from various groups, such as  
36 admissions, counseling, health care, student advocates, and  
37 professors. The committee shall evaluate barriers that impact  
38 survivors of sexual assault, sexual harassment, and gender-based  
39 violence and their ability to access services and obtain

1 accommodations at institutions of higher education, and may  
2 collaborate with outside organizations and entities focused on  
3 survivors of sexual assault, sexual harassment, and gender-based  
4 violence.

5 (2) The student health and safety committee shall evaluate  
6 existing accommodations and make recommendations on how to facilitate  
7 existing processes to better serve survivors in requesting  
8 accommodations.

9 (3) The student health and safety committee shall annually report  
10 its recommendations to the appropriate committees of the legislature  
11 in accordance with RCW 43.01.036.

12 NEW SECTION. **Sec. 4.** A new section is added to chapter 28B.112  
13 RCW to read as follows:

14 (1) Beginning in the 2025 fall academic term, each institution of  
15 higher education shall provide at least three hours of education on  
16 the Title IX reporting process for sexual assault, sexual harassment,  
17 and gender-based violence, accessing support services, consent, and  
18 the availability and role of confidential advocates as defined in  
19 section 2 of this act either in person or electronically at the  
20 beginning of each academic term. Additionally, institutions shall  
21 ensure that the education is made available throughout the academic  
22 year. Institutions shall make a good-faith effort to include  
23 perspectives from sexual assault survivors.

24 (2) The education required in subsection (1) of this section must  
25 be provided to all students and any staff of the institution of  
26 higher education who may interact with a survivor of sexual assault,  
27 sexual harassment, or gender-based violence.

28 NEW SECTION. **Sec. 5.** A new section is added to chapter 28B.112  
29 RCW to read as follows:

30 (1) The Title IX process may not exceed 180 business days from  
31 the date a report is made unless extenuating circumstances exist. The  
32 timeline for each step of the Title IX process is as follows:

33 (a) A student must receive information on available resources,  
34 including information on the Title IX process, counseling services,  
35 and confidential advocates, within two business days of making a  
36 report;

1 (b) The initial assessment must be completed within 10 business  
2 days, including whether the investigation will proceed under Title IX  
3 or the institution of higher education's internal process;

4 (c) The investigation must be completed within 120 business days  
5 of the initial report or disclosure. This process includes the final  
6 decision and subsequent hearings; and

7 (d) If a sanction is issued it must be determined and  
8 administered within 10 business days of the final decision.

9 (2) If the process will take longer than 180 business days due to  
10 extenuating circumstances, the institution of higher education shall  
11 provide a written explanation to the student including the reason for  
12 the delay and when the process is expected to be completed.

13 (3) Students must be kept informed on the status of the process  
14 throughout the entirety of the Title IX process. Institutions of  
15 higher education shall provide an online tool for students to track  
16 the process of their investigation.

17 NEW SECTION. **Sec. 6.** A new section is added to chapter 28B.112  
18 RCW to read as follows:

19 The provisions of this act apply only to main campus locations.

20 **Sec. 7.** RCW 28B.110.020 and 1989 c 341 s 2 are each amended to  
21 read as follows:

22 For purposes of this chapter, "institutions of higher education"  
23 or "institutions" include the state universities, regional  
24 universities, The Evergreen State College, (~~and~~) the community  
25 colleges, and the technical colleges.

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