
HOUSE BILL 1803

State of Washington

69th Legislature

2025 Regular Session

By Representatives Rule, Bernbaum, Santos, and Reed

Read first time 02/03/25. Referred to Committee on Early Learning & Human Services.

1 AN ACT Relating to safety of youth sports; amending RCW
2 26.44.020, 26.44.030, 43.43.830, and 43.43.834; adding new sections
3 to chapter 26.44 RCW; adding new sections to chapter 28A.600 RCW; and
4 providing an effective date.

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

6 **Sec. 1.** RCW 26.44.020 and 2024 c 298 s 5 are each amended to
7 read as follows:

8 The definitions in this section apply throughout this chapter
9 unless the context clearly requires otherwise.

10 (1) "Abuse or neglect" means sexual abuse, sexual exploitation,
11 female genital mutilation as defined in RCW 18.130.460, trafficking
12 as described in RCW 9A.40.100, sex trafficking or severe forms of
13 trafficking in persons under the trafficking victims protection act
14 of 2000, 22 U.S.C. Sec. 7101 et seq., or injury of a child by any
15 person under circumstances which cause harm to the child's health,
16 welfare, or safety, excluding conduct permitted under RCW 9A.16.100;
17 or the negligent treatment or maltreatment of a child by a person
18 responsible for or providing care to the child. An abused child is a
19 child who has been subjected to child abuse or neglect as defined in
20 this section.

1 (2) "Child" or "children" means any person under the age of
2 eighteen years of age.

3 (3) "Child forensic interview" means a developmentally sensitive
4 and legally sound method of gathering factual information regarding
5 allegations of child abuse, child neglect, or exposure to violence.
6 This interview is conducted by a competently trained, neutral
7 professional utilizing techniques informed by research and best
8 practice as part of a larger investigative process.

9 (4) "Child protective services" means those services provided by
10 the department designed to protect children from child abuse and
11 neglect and safeguard such children from future abuse and neglect,
12 and conduct investigations of child abuse and neglect reports.
13 Investigations may be conducted regardless of the location of the
14 alleged abuse or neglect. Child protective services includes referral
15 to services to ameliorate conditions that endanger the welfare of
16 children, the coordination of necessary programs and services
17 relevant to the prevention, intervention, and treatment of child
18 abuse and neglect, and services to children to ensure that each child
19 has a permanent home. In determining whether protective services
20 should be provided, the department shall not decline to provide such
21 services solely because of the child's unwillingness or developmental
22 inability to describe the nature and severity of the abuse or
23 neglect.

24 (5) "Child protective services section" means the child
25 protective services section of the department.

26 (6) "Child who is a candidate for foster care" means a child who
27 the department identifies as being at imminent risk of entering
28 foster care but who can remain safely in the child's home or in a
29 kinship placement as long as services or programs that are necessary
30 to prevent entry of the child into foster care are provided, and
31 includes but is not limited to a child whose adoption or guardianship
32 arrangement is at risk of a disruption or dissolution that would
33 result in a foster care placement. The term includes a child for whom
34 there is reasonable cause to believe that any of the following
35 circumstances exist:

36 (a) The child has been abandoned by the parent as defined in RCW
37 13.34.030 and the child's health, safety, and welfare is seriously
38 endangered as a result;

1 (b) The child has been abused or neglected as defined in this
2 chapter and the child's health, safety, and welfare is seriously
3 endangered as a result;

4 (c) There is no parent capable of meeting the child's needs such
5 that the child is in circumstances that constitute a serious danger
6 to the child's development;

7 (d) The child is otherwise at imminent risk of harm.

8 (7) "Children's advocacy center" means a child-focused facility
9 in good standing with the state chapter for children's advocacy
10 centers and that coordinates a multidisciplinary process for the
11 investigation, prosecution, and treatment of sexual and other types
12 of child abuse. Children's advocacy centers provide a location for
13 forensic interviews and coordinate access to services such as, but
14 not limited to, medical evaluations, advocacy, therapy, and case
15 review by multidisciplinary teams within the context of county
16 protocols as defined in RCW 26.44.180 and 26.44.185.

17 (8) "Clergy" means any regularly licensed or ordained minister,
18 priest, or rabbi of any church or religious denomination, whether
19 acting in an individual capacity or as an employee or agent of any
20 public or private organization or institution.

21 (9) "Court" means the superior court of the state of Washington,
22 juvenile department.

23 (10) "Department" means the department of children, youth, and
24 families.

25 (11) "Experiencing homelessness" means lacking a fixed, regular,
26 and adequate nighttime residence, including circumstances such as
27 sharing the housing of other persons due to loss of housing, economic
28 hardship, fleeing domestic violence, or a similar reason as described
29 in the federal McKinney-Vento homeless assistance act (Title 42
30 U.S.C., chapter 119, subchapter I) as it existed on January 1, 2021.

31 (12) "Family assessment" means a comprehensive assessment of
32 child safety, risk of subsequent child abuse or neglect, and family
33 strengths and needs that is applied to a child abuse or neglect
34 report. Family assessment does not include a determination as to
35 whether child abuse or neglect occurred, but does determine the need
36 for services to address the safety of the child and the risk of
37 subsequent maltreatment.

38 (13) "Family assessment response" means a way of responding to
39 certain reports of child abuse or neglect made under this chapter
40 using a differential response approach to child protective services.

1 The family assessment response shall focus on the safety of the
2 child, the integrity and preservation of the family, and shall assess
3 the status of the child and the family in terms of risk of abuse and
4 neglect including the parent's or guardian's or other caretaker's
5 capacity and willingness to protect the child and, if necessary, plan
6 and arrange the provision of services to reduce the risk and
7 otherwise support the family. No one is named as a perpetrator, and
8 no investigative finding is entered in the record as a result of a
9 family assessment.

10 (14) "Founded" means the determination following an investigation
11 by the department that, based on available information, it is more
12 likely than not that child abuse or neglect did occur.

13 (15) "Inconclusive" means the determination following an
14 investigation by the department of social and health services, prior
15 to October 1, 2008, that based on available information a decision
16 cannot be made that more likely than not, child abuse or neglect did
17 or did not occur.

18 (16) "Institution" means a private or public hospital or any
19 other facility providing medical diagnosis, treatment, or care.

20 (17) "Law enforcement agency" means the police department, the
21 prosecuting attorney, the state patrol, the director of public
22 safety, or the office of the sheriff.

23 (18) "Malice" or "maliciously" means an intent, wish, or design
24 to intimidate, annoy, or injure another person. Such malice may be
25 inferred from an act done in willful disregard of the rights of
26 another, or an act wrongfully done without just cause or excuse, or
27 an act or omission of duty betraying a willful disregard of social
28 duty.

29 (19) "Negligent treatment or maltreatment" means an act or a
30 failure to act, or the cumulative effects of a pattern of conduct,
31 behavior, or inaction, that evidences a serious disregard of
32 consequences of such magnitude as to constitute a clear and present
33 danger to a child's health, welfare, or safety, including but not
34 limited to conduct prohibited under RCW 9A.42.100. When considering
35 whether a clear and present danger exists, evidence of a parent's
36 substance abuse as a contributing factor to negligent treatment or
37 maltreatment shall be given great weight. The fact that siblings
38 share a bedroom is not, in and of itself, negligent treatment or
39 maltreatment. Poverty, experiencing homelessness, or exposure to
40 domestic violence as defined in RCW 7.105.010 that is perpetrated

1 against someone other than the child does not constitute negligent
2 treatment or maltreatment in and of itself.

3 (20) "Pharmacist" means any registered pharmacist under chapter
4 18.64 RCW, whether acting in an individual capacity or as an employee
5 or agent of any public or private organization or institution.

6 (21) "Practitioner of the healing arts" or "practitioner" means a
7 person licensed by this state to practice podiatric medicine and
8 surgery, optometry, chiropractic, nursing, dentistry, osteopathic
9 medicine and surgery, or medicine and surgery or to provide other
10 health services. The term "practitioner" includes a duly accredited
11 Christian Science practitioner. A person who is being furnished
12 Christian Science treatment by a duly accredited Christian Science
13 practitioner will not be considered, for that reason alone, a
14 neglected person for the purposes of this chapter.

15 (22) "Prevention and family services and programs" means specific
16 mental health prevention and treatment services, substance abuse
17 prevention and treatment services, and in-home parent skill-based
18 programs that qualify for federal funding under the federal family
19 first prevention services act, P.L. 115-123. For purposes of this
20 chapter, prevention and family services and programs are not remedial
21 services or family reunification services as described in RCW
22 13.34.025(2).

23 (23) "Professional school personnel" include, but are not limited
24 to, teachers, counselors, administrators, child care facility
25 personnel, and school nurses.

26 (24) "Psychologist" means any person licensed to practice
27 psychology under chapter 18.83 RCW, whether acting in an individual
28 capacity or as an employee or agent of any public or private
29 organization or institution.

30 (25) "Screened-out report" means a report of alleged child abuse
31 or neglect that the department has determined does not rise to the
32 level of a credible report of abuse or neglect and is not referred
33 for investigation.

34 (26) "Sexual exploitation" includes: (a) Allowing, permitting, or
35 encouraging a child to engage in prostitution by any person; or (b)
36 allowing, permitting, encouraging, or engaging in the obscene or
37 pornographic photographing, filming, or depicting of a child by any
38 person.

39 (27) "Sexually aggressive youth" means a child who is defined in
40 RCW 74.13.075(1)(b) as being a sexually aggressive youth.

1 (28) "Social service counselor" means anyone engaged in a
2 professional capacity during the regular course of employment in
3 encouraging or promoting the health, welfare, support, or education
4 of children, or providing social services to adults or families,
5 including mental health, drug and alcohol treatment, and domestic
6 violence programs, whether in an individual capacity, or as an
7 employee or agent of any public or private organization or
8 institution.

9 (29) "Unfounded" means the determination following an
10 investigation by the department that available information indicates
11 that, more likely than not, child abuse or neglect did not occur, or
12 that there is insufficient evidence for the department to determine
13 whether the alleged child abuse did or did not occur.

14 (30) "Coach" means a person employed or volunteering as a coach,
15 manager, or supervisor of a youth athletic activity, but does not
16 include occasional assistance with or support of the youth athletic
17 activity by a person, including the actions of other volunteers or
18 employees of the youth sports organization in a passing, general, or
19 nominal manner.

20 (31)(a) "Youth sports organization" means:

21 (i) A private for-profit or nonprofit organization that as part
22 of its core function provides persons who are less than 18 years old
23 the opportunity to participate in scheduled competitive or
24 recreational sporting activities whether individually or as a team,
25 but does not include a sporting activity that is incidental to a
26 nonathletic program or lesson; and

27 (ii) A city or county when providing persons who are less than 18
28 years old the opportunity to participate in scheduled competitive or
29 recreational sporting activities whether individually or as a team,
30 but does not include a sporting activity that is incidental to a
31 nonathletic program or lesson.

32 (b) "Youth sports organization" does not include:

33 (i) A licensed child care center or family home provider as
34 defined under RCW 43.216.010;

35 (ii) An institution of higher education, as defined in RCW
36 28B.10.016, or a private institution of higher education; or

37 (iii) An organization that provides the opportunity to
38 participate in an unsupervised, unscheduled competitive, or
39 recreational sporting event.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 26.44
2 RCW to read as follows:

3 (1) Beginning July 1, 2026, each youth sports organization shall
4 require each coach to annually complete training regarding mandatory
5 reporting of child abuse and neglect as provided in RCW 26.44.030
6 developed by the department under section 3 of this act.

7 (2) Each youth sports organization shall encourage each coach
8 associated with that youth sports organization to complete an abuse
9 prevention training program that includes the following:

10 (a) Prohibited conduct by coaches;

11 (b) Appropriate one-on-one interactions between players and
12 coaches;

13 (c) How to recognize and appropriately respond to and prevent
14 behaviors that violate the prohibited conduct policy under section 3
15 of this act; and

16 (d) How to respond to disclosures of sexual abuse, child abuse,
17 or reports of behaviors violating the prohibited conduct policy
18 developed under section 3 of this act in a supportive and appropriate
19 manner that meets the mandatory reporting of child abuse and neglect
20 requirements provided in RCW 26.44.030.

21 (3) Each youth sports organization shall require each of its
22 coaches to comply with the prohibited conduct policy required under
23 section 3 of this act.

24 NEW SECTION. **Sec. 3.** A new section is added to chapter 26.44
25 RCW to read as follows:

26 (1) By January 1, 2026, the department shall develop and make
27 available a youth sports organization prohibited conduct policy that
28 meets the requirements of this subsection. Each youth sports
29 organization shall adopt the prohibited conduct policy developed by
30 the department or develop a prohibited conduct policy relating to
31 youth athletic activities. The prohibited conduct policy required
32 under this subsection must include:

33 (a) A list of prohibited conduct by parents, spectators, coaches,
34 and athletes and a mandatory reporting policy for adults who have
35 knowledge of an act of prohibited conduct; and

36 (b) A code of conduct for parents, spectators, coaches, and
37 athletes to follow.

38 (2) By January 1, 2026, the department shall develop or contract
39 with an external entity for the development of a training regarding

1 mandatory reporting of child abuse and neglect suitable for
2 individuals who are identified as mandatory reporters of child abuse
3 and neglect under RCW 26.44.030. The department shall make the
4 training developed under this subsection available to the public in
5 an accessible format.

6 **Sec. 4.** RCW 26.44.030 and 2024 c 298 s 6 are each amended to
7 read as follows:

8 (1)(a) When any practitioner, county coroner or medical examiner,
9 law enforcement officer, professional school personnel, registered or
10 licensed nurse, social service counselor, psychologist, pharmacist,
11 employee of the department of children, youth, and families, licensed
12 or certified child care providers or their employees, employee of the
13 department of social and health services, juvenile probation officer,
14 diversion unit staff, placement and liaison specialist, responsible
15 living skills program staff, HOPE center staff, state family and
16 children's ombuds or any volunteer in the ombuds' office, coach of a
17 youth sports organization, or host home program has reasonable cause
18 to believe that a child has suffered abuse or neglect, he or she
19 shall report such incident, or cause a report to be made, to the
20 proper law enforcement agency or to the department as provided in RCW
21 26.44.040.

22 (b) When any person, in his or her official supervisory capacity
23 with a nonprofit or for-profit organization, has reasonable cause to
24 believe that a child has suffered abuse or neglect caused by a person
25 over whom he or she regularly exercises supervisory authority, he or
26 she shall report such incident, or cause a report to be made, to the
27 proper law enforcement agency, provided that the person alleged to
28 have caused the abuse or neglect is employed by, contracted by, or
29 volunteers with the organization and coaches, trains, educates, or
30 counsels a child or children or regularly has unsupervised access to
31 a child or children as part of the employment, contract, or voluntary
32 service. No one shall be required to report under this section when
33 he or she obtains the information solely as a result of a privileged
34 communication as provided in RCW 5.60.060.

35 Nothing in this subsection (1)(b) shall limit a person's duty to
36 report under (a) of this subsection.

37 For the purposes of this subsection, the following definitions
38 apply:

1 (i) "Official supervisory capacity" means a position, status, or
2 role created, recognized, or designated by any nonprofit or for-
3 profit organization, either for financial gain or without financial
4 gain, whose scope includes, but is not limited to, overseeing,
5 directing, or managing another person who is employed by, contracted
6 by, or volunteers with the nonprofit or for-profit organization.

7 (ii) "Organization" includes a sole proprietor, partnership,
8 corporation, limited liability company, trust, association, financial
9 institution, governmental entity, other than the federal government,
10 and any other individual or group engaged in a trade, occupation,
11 enterprise, governmental function, charitable function, or similar
12 activity in this state whether or not the entity is operated as a
13 nonprofit or for-profit entity.

14 (iii) "Reasonable cause" means a person witnesses or receives a
15 credible written or oral report alleging abuse, including sexual
16 contact, or neglect of a child.

17 (iv) "Regularly exercises supervisory authority" means to act in
18 his or her official supervisory capacity on an ongoing or continuing
19 basis with regards to a particular person.

20 (v) "Sexual contact" has the same meaning as in RCW 9A.44.010.

21 (c) The reporting requirement also applies to department of
22 corrections personnel who, in the course of their employment, observe
23 offenders or the children with whom the offenders are in contact. If,
24 as a result of observations or information received in the course of
25 his or her employment, any department of corrections personnel has
26 reasonable cause to believe that a child has suffered abuse or
27 neglect, he or she shall report the incident, or cause a report to be
28 made, to the proper law enforcement agency or to the department as
29 provided in RCW 26.44.040.

30 (d) The reporting requirement shall also apply to any adult who
31 has reasonable cause to believe that a child who resides with them,
32 has suffered severe abuse, and is able or capable of making a report.
33 For the purposes of this subsection, "severe abuse" means any of the
34 following: Any single act of abuse that causes physical trauma of
35 sufficient severity that, if left untreated, could cause death; any
36 single act of sexual abuse that causes significant bleeding, deep
37 bruising, or significant external or internal swelling; or more than
38 one act of physical abuse, each of which causes bleeding, deep
39 bruising, significant external or internal swelling, bone fracture,
40 or unconsciousness.

1 (e) The reporting requirement also applies to guardians ad litem,
2 including court-appointed special advocates, appointed under Titles
3 11 and 13 RCW and this title, who in the course of their
4 representation of children in these actions have reasonable cause to
5 believe a child has been abused or neglected.

6 (f) The reporting requirement in (a) of this subsection also
7 applies to administrative and academic or athletic department
8 employees, including student employees, of institutions of higher
9 education, as defined in RCW 28B.10.016, and of private institutions
10 of higher education.

11 (g) The report must be made at the first opportunity, but in no
12 case longer than forty-eight hours after there is reasonable cause to
13 believe that the child has suffered abuse or neglect. The report must
14 include the identity of the accused if known.

15 (2) The reporting requirement of subsection (1) of this section
16 does not apply to the discovery of abuse or neglect that occurred
17 during childhood if it is discovered after the child has become an
18 adult. However, if there is reasonable cause to believe other
19 children are or may be at risk of abuse or neglect by the accused,
20 the reporting requirement of subsection (1) of this section does
21 apply.

22 (3) Any other person who has reasonable cause to believe that a
23 child has suffered abuse or neglect may report such incident to the
24 proper law enforcement agency or to the department as provided in RCW
25 26.44.040.

26 (4) The department, upon receiving a report of an incident of
27 alleged abuse or neglect pursuant to this chapter, involving a child
28 who has died or has had physical injury or injuries inflicted upon
29 him or her other than by accidental means or who has been subjected
30 to alleged sexual abuse, shall report such incident to the proper law
31 enforcement agency, including military law enforcement, if
32 appropriate. In emergency cases, where the child's welfare is
33 endangered, the department shall notify the proper law enforcement
34 agency within twenty-four hours after a report is received by the
35 department. In all other cases, the department shall notify the law
36 enforcement agency within seventy-two hours after a report is
37 received by the department. If the department makes an oral report, a
38 written report must also be made to the proper law enforcement agency
39 within five days thereafter.

1 (5) Any law enforcement agency receiving a report of an incident
2 of alleged abuse or neglect pursuant to this chapter, involving a
3 child who has died or has had physical injury or injuries inflicted
4 upon him or her other than by accidental means, or who has been
5 subjected to alleged sexual abuse, shall report such incident in
6 writing as provided in RCW 26.44.040 to the proper county prosecutor
7 or city attorney for appropriate action whenever the law enforcement
8 agency's investigation reveals that a crime may have been committed.
9 The law enforcement agency shall also notify the department of all
10 reports received and the law enforcement agency's disposition of
11 them. In emergency cases, where the child's welfare is endangered,
12 the law enforcement agency shall notify the department within twenty-
13 four hours. In all other cases, the law enforcement agency shall
14 notify the department within seventy-two hours after a report is
15 received by the law enforcement agency.

16 (6) Any county prosecutor or city attorney receiving a report
17 under subsection (5) of this section shall notify the victim, any
18 persons the victim requests, and the local office of the department,
19 of the decision to charge or decline to charge a crime, within five
20 days of making the decision.

21 (7) The department may conduct ongoing case planning and
22 consultation with those persons or agencies required to report under
23 this section, with consultants designated by the department, and with
24 designated representatives of Washington Indian tribes if the client
25 information exchanged is pertinent to cases currently receiving child
26 protective services. Upon request, the department shall conduct such
27 planning and consultation with those persons required to report under
28 this section if the department determines it is in the best interests
29 of the child. Information considered privileged by statute and not
30 directly related to reports required by this section must not be
31 divulged without a valid written waiver of the privilege.

32 (8) Any case referred to the department by a physician licensed
33 under chapter 18.57 or 18.71 RCW on the basis of an expert medical
34 opinion that child abuse, neglect, or sexual assault has occurred and
35 that the child's safety will be seriously endangered if returned
36 home, the department shall file a dependency petition unless a second
37 licensed physician of the parents' choice believes that such expert
38 medical opinion is incorrect. If the parents fail to designate a
39 second physician, the department may make the selection. If a
40 physician finds that a child has suffered abuse or neglect but that

1 such abuse or neglect does not constitute imminent danger to the
2 child's health or safety, and the department agrees with the
3 physician's assessment, the child may be left in the parents' home
4 while the department proceeds with reasonable efforts to remedy
5 parenting deficiencies.

6 (9) Persons or agencies exchanging information under subsection
7 (7) of this section shall not further disseminate or release the
8 information except as authorized by state or federal statute.
9 Violation of this subsection is a misdemeanor.

10 (10) Upon receiving a report that a child is a candidate for
11 foster care as defined in RCW 26.44.020, the department may provide
12 prevention and family services and programs to the child's parents,
13 guardian, or caregiver. The department may not be held civilly liable
14 for the decision regarding whether to provide prevention and family
15 services and programs, or for the provision of those services and
16 programs, for a child determined to be a candidate for foster care.

17 (11) Upon receiving a report of alleged abuse or neglect, the
18 department shall make reasonable efforts to learn the name, address,
19 and telephone number of each person making a report of abuse or
20 neglect under this section. The department shall provide assurances
21 of appropriate confidentiality of the identification of persons
22 reporting under this section. If the department is unable to learn
23 the information required under this subsection, the department shall
24 only investigate cases in which:

25 (a) The department believes there is a serious threat of
26 substantial harm to the child;

27 (b) The report indicates conduct involving a criminal offense
28 that has, or is about to occur, in which the child is the victim; or

29 (c) The department has a prior founded report of abuse or neglect
30 with regard to a member of the household that is within three years
31 of receipt of the referral.

32 (12)(a) Upon receiving a report of alleged abuse or neglect, the
33 department shall use one of the following discrete responses to
34 reports of child abuse or neglect that are screened in and accepted
35 for departmental response:

36 (i) Investigation; or

37 (ii) Family assessment.

38 (b) In making the response in (a) of this subsection the
39 department shall:

1 (i) Use a method by which to assign cases to investigation or
2 family assessment which are based on an array of factors that may
3 include the presence of: Imminent danger, level of risk, number of
4 previous child abuse or neglect reports, or other presenting case
5 characteristics, such as the type of alleged maltreatment and the age
6 of the alleged victim. Age of the alleged victim shall not be used as
7 the sole criterion for determining case assignment;

8 (ii) Allow for a change in response assignment based on new
9 information that alters risk or safety level;

10 (iii) Allow families assigned to family assessment to choose to
11 receive an investigation rather than a family assessment;

12 (iv) Provide a full investigation if a family refuses the initial
13 family assessment;

14 (v) Provide voluntary services to families based on the results
15 of the initial family assessment. If a family refuses voluntary
16 services, and the department cannot identify specific facts related
17 to risk or safety that warrant assignment to investigation under this
18 chapter, and there is not a history of reports of child abuse or
19 neglect related to the family, then the department must close the
20 family assessment response case. However, if at any time the
21 department identifies risk or safety factors that warrant an
22 investigation under this chapter, then the family assessment response
23 case must be reassigned to investigation;

24 (vi) Conduct an investigation, and not a family assessment, in
25 response to an allegation that, the department determines based on
26 the intake assessment:

27 (A) Indicates a child's health, safety, and welfare will be
28 seriously endangered if not taken into custody for reasons including,
29 but not limited to, sexual abuse and sexual exploitation of the child
30 as defined in this chapter;

31 (B) Poses a serious threat of substantial harm to a child;

32 (C) Constitutes conduct involving a criminal offense that has, or
33 is about to occur, in which the child is the victim;

34 (D) The child is an abandoned child as defined in RCW 13.34.030;

35 (E) The child is an adjudicated dependent child as defined in RCW
36 13.34.030, or the child is in a facility that is licensed, operated,
37 or certified for care of children by the department under chapter
38 74.15 RCW.

39 (c) In addition, the department may use a family assessment
40 response to assess for and provide prevention and family services and

1 programs, as defined in RCW 26.44.020, for the following children and
2 their families, consistent with requirements under the federal family
3 first prevention services act and this section:

4 (i) A child who is a candidate for foster care, as defined in RCW
5 26.44.020; and

6 (ii) A child who is in foster care and who is pregnant,
7 parenting, or both.

8 (d) The department may not be held civilly liable for the
9 decision to respond to an allegation of child abuse or neglect by
10 using the family assessment response under this section unless the
11 state or its officers, agents, or employees acted with reckless
12 disregard.

13 (13)(a) For reports of alleged abuse or neglect that are accepted
14 for investigation by the department, the investigation shall be
15 conducted within time frames established by the department in rule.
16 In no case shall the investigation extend longer than ninety days
17 from the date the report is received, unless the investigation is
18 being conducted under a written protocol pursuant to RCW 26.44.180
19 and a law enforcement agency or prosecuting attorney has determined
20 that a longer investigation period is necessary. At the completion of
21 the investigation, the department shall make a finding that the
22 report of child abuse or neglect is founded or unfounded.

23 (b) If a court in a civil or criminal proceeding, considering the
24 same facts or circumstances as are contained in the report being
25 investigated by the department, makes a judicial finding by a
26 preponderance of the evidence or higher that the subject of the
27 pending investigation has abused or neglected the child, the
28 department shall adopt the finding in its investigation.

29 (14) For reports of alleged abuse or neglect that are responded
30 to through family assessment response, the department shall:

31 (a) Provide the family with a written explanation of the
32 procedure for assessment of the child and the family and its
33 purposes;

34 (b) Collaborate with the family to identify family strengths,
35 resources, and service needs, and develop a service plan with the
36 goal of reducing risk of harm to the child and improving or restoring
37 family well-being;

38 (c) Complete the family assessment response within forty-five
39 days of receiving the report except as follows:

1 (i) Upon parental agreement, the family assessment response
2 period may be extended up to one hundred twenty days. The
3 department's extension of the family assessment response period must
4 be operated within the department's appropriations;

5 (ii) For cases in which the department elects to use a family
6 assessment response as authorized under subsection (12)(c) of this
7 section, and upon agreement of the child's parent, legal guardian,
8 legal custodian, or relative placement, the family assessment
9 response period may be extended up to one year. The department's
10 extension of the family assessment response must be operated within
11 the department's appropriations.

12 (d) Offer services to the family in a manner that makes it clear
13 that acceptance of the services is voluntary;

14 (e) Implement the family assessment response in a consistent and
15 cooperative manner;

16 (f) Have the parent or guardian agree to participate in services
17 before services are initiated. The department shall inform the
18 parents of their rights under family assessment response, all of
19 their options, and the options the department has if the parents do
20 not agree to participate in services.

21 (15)(a) In conducting an investigation or family assessment of
22 alleged abuse or neglect, the department or law enforcement agency:

23 (i) May interview children. If the department determines that the
24 response to the allegation will be family assessment response, the
25 preferred practice is to request a parent's, guardian's, or
26 custodian's permission to interview the child before conducting the
27 child interview unless doing so would compromise the safety of the
28 child or the integrity of the assessment. The interviews may be
29 conducted on school premises, at day-care facilities, at the child's
30 home, or at other suitable locations outside of the presence of
31 parents. If the allegation is investigated, parental notification of
32 the interview must occur at the earliest possible point in the
33 investigation that will not jeopardize the safety or protection of
34 the child or the course of the investigation. Prior to commencing the
35 interview the department or law enforcement agency shall determine
36 whether the child wishes a third party to be present for the
37 interview and, if so, shall make reasonable efforts to accommodate
38 the child's wishes. Unless the child objects, the department or law
39 enforcement agency shall make reasonable efforts to include a third

1 party in any interview so long as the presence of the third party
2 will not jeopardize the course of the investigation; and

3 (ii) Shall have access to all relevant records of the child in
4 the possession of mandated reporters and their employees.

5 (b) The Washington state school directors' association shall
6 adopt a model policy addressing protocols when an interview, as
7 authorized by this subsection, is conducted on school premises. In
8 formulating its policy, the association shall consult with the
9 department and the Washington association of sheriffs and police
10 chiefs.

11 (16) If a report of alleged abuse or neglect is founded and
12 constitutes the third founded report received by the department
13 within the last twelve months involving the same child or family, the
14 department shall promptly notify the office of the family and
15 children's ombuds of the contents of the report. The department shall
16 also notify the ombuds of the disposition of the report.

17 (17) In investigating and responding to allegations of child
18 abuse and neglect, the department may conduct background checks as
19 authorized by state and federal law.

20 (18)(a) The department shall maintain investigation records and
21 conduct timely and periodic reviews of all founded cases of abuse and
22 neglect. The department shall maintain a log of screened-out
23 nonabusive cases.

24 (b) In the family assessment response, the department shall not
25 make a finding as to whether child abuse or neglect occurred. No one
26 shall be named as a perpetrator and no investigative finding shall be
27 entered in the department's child abuse or neglect database.

28 (19) The department shall use a risk assessment process when
29 investigating alleged child abuse and neglect referrals. The
30 department shall present the risk factors at all hearings in which
31 the placement of a dependent child is an issue. Substance abuse must
32 be a risk factor.

33 (20) Upon receipt of a report of alleged abuse or neglect the law
34 enforcement agency may arrange to interview the person making the
35 report and any collateral sources to determine if any malice is
36 involved in the reporting.

37 (21) Upon receiving a report of alleged abuse or neglect
38 involving a child under the court's jurisdiction under chapter 13.34
39 RCW, the department shall promptly notify the child's guardian ad
40 litem of the report's contents. The department shall also notify the

1 guardian ad litem of the disposition of the report. For purposes of
2 this subsection, "guardian ad litem" has the meaning provided in RCW
3 13.34.030.

4 (22) The department shall make efforts as soon as practicable to
5 determine the military status of parents whose children are subject
6 to abuse or neglect allegations. If the department determines that a
7 parent or guardian is in the military, the department shall notify a
8 department of defense family advocacy program that there is an
9 allegation of abuse and neglect that is screened in and open for
10 investigation that relates to that military parent or guardian.

11 (23) The department shall make available on its public website a
12 downloadable and printable poster that includes the reporting
13 requirements included in this section. The poster must be no smaller
14 than eight and one-half by eleven inches with all information on one
15 side. The poster must be made available in both the English and
16 Spanish languages. Organizations that include employees or volunteers
17 subject to the reporting requirements of this section must clearly
18 display this poster on their website or in a common area. At a
19 minimum, this poster must include the following:

- 20 (a) Who is required to report child abuse and neglect;
- 21 (b) The standard of knowledge to justify a report;
- 22 (c) The definition of reportable crimes;
- 23 (d) Where to report suspected child abuse and neglect; and
- 24 (e) What should be included in a report and the appropriate
25 timing.

26 **Sec. 5.** RCW 43.43.830 and 2019 c 271 s 10 are each amended to
27 read as follows:

28 Unless the context clearly requires otherwise, the definitions in
29 this section apply throughout this section and RCW (~~43.43.830~~)
30 43.43.832 through 43.43.845.

31 (1) "Agency" means any person, firm, partnership, association,
32 corporation, or facility which receives, provides services to, houses
33 or otherwise cares for vulnerable adults, juveniles, or children, or
34 which provides child day care, early learning, or early childhood
35 education services.

36 (2) "Applicant" means:

37 (a) Any prospective employee who will or may have unsupervised
38 access to children under sixteen years of age or developmentally

1 disabled persons or vulnerable adults during the course of his or her
2 employment or involvement with the business or organization;

3 (b) Any prospective volunteer who will have regularly scheduled
4 unsupervised access to children under sixteen years of age,
5 developmentally disabled persons, or vulnerable adults during the
6 course of his or her employment or involvement with the business or
7 organization under circumstances where such access will or may
8 involve groups of (i) five or fewer children under twelve years of
9 age, (ii) three or fewer children between twelve and sixteen years of
10 age, (iii) developmentally disabled persons, or (iv) vulnerable
11 adults;

12 (c) Any prospective adoptive parent, as defined in RCW 26.33.020;
13 or

14 (d) Any prospective custodian in a nonparental custody proceeding
15 under chapter 26.10 RCW.

16 (3) "Business or organization" means a person, business, or
17 organization licensed in this state, any agency of the state, or
18 other governmental entity, that educates, trains, treats, supervises,
19 houses, or provides recreation to developmentally disabled persons,
20 vulnerable adults, or children under sixteen years of age, or that
21 provides child day care, early learning, or early learning childhood
22 education services, including but not limited to public housing
23 authorities, school districts, and educational service districts.

24 (4) "Civil adjudication proceeding" is a judicial or
25 administrative adjudicative proceeding that results in a finding of,
26 or upholds an agency finding of, domestic violence, abuse, sexual
27 abuse, neglect, abandonment, violation of a professional licensing
28 standard regarding a child or vulnerable adult, or exploitation or
29 financial exploitation of a child or vulnerable adult under any
30 provision of law, including but not limited to chapter 13.34, 26.44,
31 or 74.34 RCW, or rules adopted under chapters 18.51 and 74.42 RCW.
32 "Civil adjudication proceeding" also includes judicial or
33 administrative findings that become final due to the failure of the
34 alleged perpetrator to timely exercise a legal right to
35 administratively challenge such findings.

36 (5) "Client" or "resident" means a child, person with
37 developmental disabilities, or vulnerable adult applying for housing
38 assistance from a business or organization.

39 (6) "Conviction record" means "conviction record" information as
40 defined in RCW 10.97.030 and 10.97.050 relating to a crime committed

1 by either an adult or a juvenile. It does not include a conviction
2 for an offense that has been the subject of an expungement, pardon,
3 annulment, certificate of rehabilitation, or other equivalent
4 procedure based on a finding of the rehabilitation of the person
5 convicted, or a conviction that has been the subject of a pardon,
6 annulment, or other equivalent procedure based on a finding of
7 innocence. It does include convictions for offenses for which the
8 defendant received a deferred or suspended sentence, unless the
9 record has been expunged according to law.

10 (7) "Crime against children or other persons" means a conviction
11 of any of the following offenses: Aggravated murder; first or second
12 degree murder; first or second degree kidnapping; first, second, or
13 third degree assault; fourth degree assault (if a violation of RCW
14 9A.36.041(3)); first, second, or third degree assault of a child;
15 first, second, or third degree rape; first, second, or third degree
16 rape of a child; first or second degree robbery; first degree arson;
17 first degree burglary; first or second degree manslaughter; first or
18 second degree extortion; indecent liberties; incest; vehicular
19 homicide; first degree promoting prostitution; communication with a
20 minor; unlawful imprisonment; simple assault; sexual exploitation of
21 minors; first or second degree criminal mistreatment; endangerment
22 with a controlled substance; child abuse or neglect as defined in RCW
23 26.44.020; first or second degree custodial interference; first or
24 second degree custodial sexual misconduct; hate crime; first, second,
25 or third degree child molestation; first or second degree sexual
26 misconduct with a minor; commercial sexual abuse of a minor; child
27 abandonment; promoting pornography; selling or distributing erotic
28 material to a minor; custodial assault; violation of child abuse
29 restraining order; child buying or selling; prostitution; felony
30 indecent exposure; criminal abandonment; or any of these crimes as
31 they may be renamed in the future.

32 (8) "Crimes relating to drugs" means a conviction of a crime to
33 manufacture, delivery, or possession with intent to manufacture or
34 deliver a controlled substance.

35 (9) "Crimes relating to financial exploitation" means a
36 conviction for first, second, or third degree extortion; first,
37 second, or third degree theft; first or second degree robbery;
38 forgery; or any of these crimes as they may be renamed in the future.

39 (10) "Financial exploitation" means "financial exploitation" as
40 defined in RCW 74.34.020.

1 (11) "Health care facility" means a nursing home licensed under
2 chapter 18.51 RCW, an assisted living facility licensed under chapter
3 18.20 RCW, or an adult family home licensed under chapter 70.128 RCW.

4 (12) "Peer counselor" means a nonprofessional person who has
5 equal standing with another person, providing advice on a topic about
6 which the nonprofessional person is more experienced or
7 knowledgeable, and who is a counselor for a peer counseling program
8 that contracts with or is otherwise approved by the department,
9 another state or local agency, or the court.

10 (13) "Unsupervised" means not in the presence of:

11 (a) Another employee or volunteer from the same business or
12 organization as the applicant; or

13 (b) Any relative or guardian of any of the children or
14 developmentally disabled persons or vulnerable adults to which the
15 applicant has access during the course of his or her employment or
16 involvement with the business or organization.

17 With regard to peer counselors, "unsupervised" does not include
18 incidental contact with children under age sixteen at the location at
19 which the peer counseling is taking place. "Incidental contact" means
20 minor or casual contact with a child in an area accessible to and
21 within visual or auditory range of others. It could include passing a
22 child while walking down a hallway but would not include being alone
23 with a child for any period of time in a closed room or office.

24 (14) "Vulnerable adult" means "vulnerable adult" as defined in
25 chapter 74.34 RCW, except that for the purposes of requesting and
26 receiving background checks pursuant to RCW 43.43.832, it shall also
27 include adults of any age who lack the functional, mental, or
28 physical ability to care for themselves.

29 (15) "Coach" means a person employed or volunteering as a coach,
30 manager, or supervisor of a youth athletic activity, but does not
31 include occasional assistance with or support of the youth athletic
32 activity by a person, including the actions of other volunteers or
33 employees of the youth sports organization in a passing, general, or
34 nominal manner.

35 (16) (a) "Youth sports organization" means:

36 (i) A private for-profit or nonprofit organization that as part
37 of its core function provides persons who are less than 18 years old
38 the opportunity to participate in scheduled competitive or
39 recreational sporting activities whether individually or as a team,

1 but does not include a sporting activity that is incidental to a
2 nonathletic program or lesson; and

3 (ii) A city or county when providing persons who are less than 18
4 years old the opportunity to participate in scheduled competitive or
5 recreational sporting activities whether individually or as a team,
6 but does not include a sporting activity that is incidental to a
7 nonathletic program or lesson.

8 (b) "Youth sports organization" does not include:

9 (i) A licensed child care center or family home provider as
10 defined under RCW 43.216.010;

11 (ii) An institution of higher education, as defined in RCW
12 28B.10.016, or a private institution of higher education; or

13 (iii) An organization that provides the opportunity to
14 participate in an unsupervised, unscheduled competitive, or
15 recreational sporting event.

16 **Sec. 6.** RCW 43.43.834 and 2005 c 421 s 3 are each amended to
17 read as follows:

18 (1) A business or organization shall not make an inquiry to the
19 Washington state patrol under RCW 43.43.832 or an equivalent inquiry
20 to a federal law enforcement agency unless the business or
21 organization has notified the applicant who may be offered a position
22 as an employee or volunteer, that an inquiry may be made.

23 (2) A business or organization shall require each applicant to
24 disclose to the business or organization whether the applicant:

25 (a) Has been convicted of a crime;

26 (b) Has had findings made against him or her in any civil
27 (~~adjudicative~~) adjudication proceeding as defined in RCW 43.43.830;
28 or

29 (c) Has both a conviction under (a) of this subsection and
30 findings made against him or her under (b) of this subsection.

31 (3) (a) A youth sports organization shall make an inquiry to the
32 Washington state patrol under RCW 43.43.832 or an equivalent inquiry
33 to a federal law enforcement before employing any coach.

34 (b) A youth sports organization may not hire a coach if the
35 inquiry required under this subsection (3) shows that the person has
36 been convicted of a crime against children or other persons.

37 (4) The business or organization shall pay such reasonable fee
38 for the records check as the state patrol may require under RCW
39 43.43.838.

1 ~~((4))~~ (5) The business or organization shall notify the
2 applicant of the state patrol's response within ten days after
3 receipt by the business or organization. The employer shall provide a
4 copy of the response to the applicant and shall notify the applicant
5 of such availability.

6 ~~((5))~~ (6) The business or organization shall use this record
7 only in making the initial employment or engagement decision. Further
8 dissemination or use of the record is prohibited, except as provided
9 in RCW 28A.320.155. A business or organization violating this
10 subsection is subject to a civil action for damages.

11 ~~((6))~~ (7) An insurance company shall not require a business or
12 organization to request background information on any employee before
13 issuing a policy of insurance.

14 ~~((7))~~ (8) The business and organization shall be immune from
15 civil liability for failure to request background information on an
16 applicant unless the failure to do so constitutes gross negligence.

17 NEW SECTION. **Sec. 7.** A new section is added to chapter 28A.600
18 RCW to read as follows:

19 (1) The Washington interscholastic activities association shall
20 require each coach of a youth athletic activity as defined in RCW
21 26.44.020 that involves interscholastic play to complete an abuse
22 prevention training program prior to beginning a coach position. The
23 Washington interscholastic activities association may require each
24 coach to take an updated abuse prevention training program course on
25 a schedule determined by the Washington interscholastic activities
26 association.

27 (2) The abuse prevention training program required under this
28 section must include the following:

29 (a) Prohibited conduct by coaches;

30 (b) Appropriate one-on-one interactions between players and
31 coaches;

32 (c) How to recognize and appropriately respond to and prevent
33 behaviors that violate the prohibited conduct policy under section 8
34 of this act; and

35 (d) How to respond to disclosures of sexual abuse, child abuse,
36 or reports of behaviors violating the prohibited conduct policy
37 developed under section 8 of this act in a supportive and appropriate
38 manner that meets the mandatory reporting of child abuse and neglect
39 requirements provided in RCW 26.44.030.

1 (3) Upon completion of the abuse prevention training program
2 required under this section, a coach of a youth athletic activity
3 that involves interscholastic play must submit evidence of the
4 completion of this training to the school district that employs the
5 coach.

6 NEW SECTION. **Sec. 8.** A new section is added to chapter 28A.600
7 RCW to read as follows:

8 By January 1, 2026, the Washington interscholastic activities
9 association shall develop a prohibited conduct policy that meets the
10 requirements of this section. Each school district shall adopt the
11 prohibited conduct policy developed by the Washington interscholastic
12 activities association or develop a prohibited conduct policy
13 relating to youth athletic activities. The prohibited conduct policy
14 required under this section must include:

15 (1) A list of prohibited conduct by parents, spectators, coaches,
16 and athletes and a mandatory reporting policy for adults who have
17 knowledge of an act of prohibited conduct; and

18 (2) A code of conduct for parents, spectators, coaches, and
19 athletes to follow.

20 NEW SECTION. **Sec. 9.** Sections 4, 6, and 7 of this act take
21 effect July 1, 2026.

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