
SENATE BILL 5386

State of Washington

69th Legislature

2025 Regular Session

By Senators Orwall, Dhingra, Frame, Hasegawa, Krishnadasan, Nobles, Saldaña, Trudeau, Valdez, and C. Wilson

Read first time 01/21/25. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to supporting survivors of sexual assault in
2 public elementary and secondary schools; amending RCW 28A.400.317;
3 adding a new section to chapter 28A.300 RCW; adding a new section to
4 chapter 28A.640 RCW; creating a new section; providing an effective
5 date; and providing an expiration date.

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

7 NEW SECTION. **Sec. 1.** (1) The legislative youth advisory council
8 established under RCW 43.15.095 shall lead a collaborative discussion
9 about the requirements for mandatory reporting of child abuse or
10 neglect under RCW 26.44.030. The purpose of this discussion is to
11 solicit student feedback and to have students collaborate with
12 relevant agencies and organizations on this topic. The discussion
13 must include:

14 (a) A review of certificated and classified school employee
15 training regarding their reporting obligations required under RCW
16 28A.400.317;

17 (b) A review of the Washington state school directors'
18 associations' model policies and procedures related to this topic;

19 (c) A review of mandatory reporting-related components of the
20 office of the superintendent of public instruction's 2023 report
21 entitled supporting survivors of sexual assault in K-12 schools,

1 including the summary of the student listening sessions and the
2 contractor's report and recommendations; and

3 (d) A review of existing systems that school districts are using
4 for students to report concerns.

5 (2) The legislative youth advisory council must conduct this
6 discussion in no more than three meetings, and the meetings must
7 include representatives from at least the following agencies and
8 organizations:

9 (a) Office of the superintendent of public instruction;

10 (b) Department of children, youth, and families;

11 (c) Washington association of sheriffs and police chiefs;

12 (d) Department of health;

13 (e) Department of social and health services;

14 (f) Washington state patrol;

15 (g) Attorney general's office; and

16 (h) Local community experts in sexual assault and misconduct and
17 child abuse prevention and response.

18 (3) By December 1, 2025, the legislative youth advisory council
19 shall report to the office of the superintendent of public
20 instruction, the Washington state school directors' association, and
21 the appropriate committees of the legislature in compliance with RCW
22 43.01.036 with any recommendations it has for amending these laws to
23 follow trauma-informed and survivor-centered best practices and any
24 recommendations related to the training materials described in
25 section 2 of this act and the contents of the student and family
26 guide described in section 4 of this act.

27 (4) The office of the lieutenant governor shall provide
28 administration, supervision, and facilitation support to help the
29 council meet the requirements of this section.

30 (5) This section expires August 1, 2027.

31 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.300
32 RCW to read as follows:

33 (1) To help meet the requirements of RCW 28A.400.317(2)(b), the
34 office of the superintendent of public instruction, by November 1,
35 2026, shall post on its website, and periodically update, staff
36 training materials on trauma-informed, survivor-centered responses to
37 disclosures of sexual abuse, misconduct, and assault, including best
38 practices for working with local community experts in sexual assault
39 and misconduct and child abuse prevention and response.

1 (2) The staff training materials described in this section must
2 consider any recommendations developed by the legislative youth
3 advisory council under section 1 of this act.

4 **Sec. 3.** RCW 28A.400.317 and 2013 c 10 s 4 are each amended to
5 read as follows:

6 (1) A certificated or classified school employee who has
7 knowledge or reasonable cause to believe that a student has been a
8 victim of physical or sexual abuse ~~((~~or~~))~~, sexual misconduct, or
9 assault by another school employee, shall report such abuse ~~((~~or~~))~~,
10 misconduct, or assault to the appropriate school administrator. The
11 school administrator shall cause a report to be made to the proper
12 law enforcement agency if he or she has reasonable cause to believe
13 that the misconduct ~~((~~or~~))~~, abuse, or assault has occurred as
14 required under RCW 26.44.030. During the process of making a
15 reasonable cause determination, the school administrator shall
16 contact all parties involved in the complaint.

17 (2) (a) Certificated and classified school employees shall receive
18 training regarding their reporting obligations under state law in
19 their orientation training when hired and then every three years
20 thereafter.

21 (b) The training required under this subsection must promote
22 trauma-informed and survivor-centered responses to sexual abuse,
23 misconduct, and assault, and must include bystander intervention
24 training of employee sexual abuse of students.

25 (c) The training required under this subsection may be
26 incorporated within existing training programs and related resources
27 and may use the staff training materials described in section 2 of
28 this act.

29 (3) Nothing in this section changes any of the duties established
30 under RCW 26.44.030.

31 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.640
32 RCW to read as follows:

33 (1) By November 1, 2026, the office of the superintendent of
34 public instruction, in collaboration with the Washington state school
35 directors' association and local community experts in sexual assault
36 and misconduct and child abuse prevention and response, shall
37 develop, and periodically update, a student and family guide to the
38 school district sexual harassment policy required by RCW

1 28A.640.020(2) and other laws, policies, and procedures related to
2 sexual abuse, misconduct, and assault, and mandatory reporting of
3 child abuse or neglect under RCW 26.44.030.

4 (2) The student and family guide must:

5 (a) Consider any recommendations developed by the legislative
6 youth advisory council under section 1 of this act;

7 (b) Be culturally informed; and

8 (c) Be translated into the most common non-English languages
9 spoken across the state in accordance with the model language access
10 policy and procedures as required under chapter 28A.183 RCW.

11 (3) School districts are encouraged to make the student and
12 family guide available to students and families, especially those
13 participating in the sexual harassment complaint process.

14 NEW SECTION. **Sec. 5.** Section 3 of this act takes effect August
15 1, 2027.

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