

# HOUSE BILL REPORT

## E2SSB 5355

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**As Reported by House Committee On:**  
Postsecondary Education & Workforce

**Title:** An act relating to improving safety at institutions of higher education while supporting survivors of sexual assault.

**Brief Description:** Improving safety at institutions of higher education while supporting student survivors of sexual assault.

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senators Orwall, Slatter, Dhingra, Hasegawa, Nobles, Stanford, Trudeau, Valdez and Wilson, C.).

**Brief History:**

**Committee Activity:**

Postsecondary Education & Workforce: 3/18/25, 3/26/25 [DP].

**Brief Summary of Engrossed Second Substitute Bill**

- Requires student, faculty, and staff identification cards issued at public institutions of higher education to include the contact information number of a regional community-based organization focused on survivors of sexual assault, sexual harassment, and sex- and gender-based violence that provides 24/7 support.
- Establishes additional requirements to the list of rights for survivors of sexual assault.
- Prohibits institutions of higher education from proposing, requesting, or pressuring a student reporting sexual misconduct to enter into a nondisclosure agreement.

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### HOUSE COMMITTEE ON POSTSECONDARY EDUCATION & WORKFORCE

**Majority Report:** Do pass. Signed by 17 members: Representatives Paul, Chair; Nance,

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Vice Chair; Ybarra, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Entenman, Graham, Keaton, Leavitt, Ley, Mendoza, Pollet, Reed, Rude, Salahuddin, Schmidt, Thomas and Timmons.

**Staff:** Elizabeth Allison (786-7129).

### **Background:**

#### Student, Faculty, and Staff Identification Cards at Institutions of Higher Education.

Within existing resources, public institutions of higher education that issue student identification cards, faculty or staff identification cards, or both, must have printed on newly issued and replacement identification cards:

- the contact information for a national suicide prevention organization; and
- the contact information for one or more campus, local, state, or national organizations specializing in suicide prevention, crisis intervention, or counseling, if available.

#### Sexual Assault Survivor Rights.

Sexual assault survivors have certain enumerated rights. These include the right to:

- receive a medical forensic exam at no cost;
- receive written notice of their right to receive a medical forensic exam at no cost as well as other benefits under the Crime Victim Compensation Program;
- receive a referral to an accredited community sexual assault program or, if the survivor is a minor, receive connection to the county child sexual abuse investigation protocol;
- consult with a sexual assault survivor's advocate throughout the investigatory process and prosecution of the survivor's case;
- be informed, upon the request of a survivor, when forensic analysis of his or her sexual assault kit and other related physical evidence will be or has been completed, the results of the forensic analysis, and whether the analysis yielded a DNA profile and match;
- receive a copy of the police report related to the investigation without charge;
- review his or her statement before law enforcement refers a case to the prosecuting attorney;
- receive timely notifications from the law enforcement agency and prosecuting attorney as to the status of the investigation and any related prosecution of the survivor's case;
- be informed by the law enforcement agency and prosecuting attorney as to the expected and appropriate time frames for receiving responses to the survivor's inquiries regarding the status of the investigation and any related prosecution of the survivor's case;
- access interpreter services where necessary to facilitate communication throughout the investigatory process and prosecution of the survivor's case; and
- have the prosecutor, in cases where the sexual assault survivor is a minor, consider remote testimony and safeguarding the survivor's feelings of security and safety in the

courtroom.

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### **Summary of Bill:**

#### Student, Faculty, and Staff Identification Cards at Institutions of Higher Education.

Student identification cards and faculty and staff identification cards issued at a public institution of higher education must also include the phone number of a regional community-based organization focused on survivors of sexual assault, sexual harassment, and sex- and gender-based violence that provides 24/7 support. Both newly issued cards and replacement cards from public four-year institutions must contain the required information.

#### Sexual Assault Survivor Rights.

Sexual assault survivors are entitled to additional rights, including the right to:

- be informed in writing of policies governing the collection and preservation of a sexual assault kit;
- upon written request of a survivor, be granted further preservation of his or her sexual assault kits or its probative contents, without charge; and
- upon written request of a survivor, receive written notification from the appropriate official with custody of his or her sexual assault kit not later than 60 days before the date of the intended destruction or disposal of the sexual assault kit.

#### Nondisclosure Agreements.

Institutions of higher education may not propose, request, or pressure a student reporting sexual misconduct in a complaint filed with the institution, with law enforcement, or in a civil court action to enter into a nondisclosure agreement relating to the alleged sexual misconduct by another student or employee of the institution.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

### **Staff Summary of Public Testimony:**

(In support) This bill is about supporting sexual assault survivors and making sure they get the services they need and have a pathway to justice. There is a very high rate of sexual assault in higher education. Approximately 25 percent of all undergraduate women and approximately 13 percent of all students experience sexual assault. This is not the big,

robust bill that it started as but it is an important first step. Having the phone number of community-based service centers on student and faculty identification cards will enable a survivor to talk to a human being, get services right away, and get a path to justice. This bill is good for students, faculty, and institutions. Faculty and staff are also survivors of campus sexual violence. A 2018 review by the National Academies for Science, Engineering, and Medicine reported that over 50 percent of faculty and staff were survivors of sexual harassment. Survivors can feel like they do not have the support to start legal action. Sexual assault and misconduct is a major threat to students on campus. More protection and supports are needed for survivors. It is very important to prohibit institutions from pressuring students to sign nondisclosure agreements.

(Opposed) None.

(Other) This bill talks about student identification cards and it has one instance using the term "gender-based violence." The committee should remove that term. The term is redundant. If gender-based violence means intimate partner violence then that term should be used. Gender-based violence is not defined in the bill or in statute. Absent a clear definition, the meaning will be informed by popular context, which is linked to violence against women and gender nonconforming folks and excludes violence against men and boys. The term is also biased and discriminatory. The state should be well beyond the days of being partial to some victims over others based on their gender identity or genitalia.

**Persons Testifying:** (In support) Senator Tina Orwall, prime sponsor; Naira Gonzales Aranda; Jacob Vigdor, University of Washington Faculty; Meredith Massey; Collin Bannister, The Washington Student Association; and Rachael Medalia.

(Other) Kristen Lewis, Family Law Professional; and Blair Daly, Washington Initiative for Boys and Men.

**Persons Signed In To Testify But Not Testifying:** None.