
HOUSE BILL 1998

State of Washington

66th Legislature

2019 Regular Session

By Representatives Pellicciotti, Leavitt, Jinkins, Callan, Stonier, Valdez, and Frame

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.10 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 policies in the event federal regulations, policies, or
15 guidelines under Title IX erode.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 28B.10
17 RCW to read as follows:

18 (1)(a) A joint legislative task force on Title IX protections and
19 compliance is established. The Title IX protections and compliance
20 task force shall 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: Sexual assault advocates; 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; and

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.

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

7 (2) The task force shall:

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

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

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

17 (3) The Washington student achievement council shall provide
18 staff support for the task force.

19 (4) Legislative members of the task force are reimbursed for
20 travel expenses in accordance with RCW 44.04.120. Nonlegislative
21 members are not entitled to be reimbursed for travel expenses if they
22 are elected officials or are participating on behalf of an employer,
23 governmental entity, or other organization. Any reimbursement for
24 other nonlegislative members is subject to chapter 43.03 RCW.

25 (5) The expenses of the task force shall be paid jointly by the
26 senate and the house of representatives. Task force expenditures are
27 subject to approval by the senate facilities and operations committee
28 and the house executive rules committee, or their successor
29 committees.

30 (6) The task force shall report its findings and recommendations
31 to the appropriate committees of the legislature by December 1, 2019.

32 (7) This section expires January 1, 2021.

33 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
34 preservation of the public peace, health, or safety, or support of
35 the state government and its existing public institutions, and takes
36 effect immediately.

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