
ENGROSSED SUBSTITUTE HOUSE BILL 1998

State of Washington

66th Legislature

2019 Regular Session

By House College & Workforce Development (originally sponsored by Representatives Pellicciotti, Leavitt, Jenkins, Callan, Stonier, Valdez, Frame, Stanford, Pollet, Tarleton, Bergquist, Santos, Macri, and Doglio)

READ FIRST TIME 02/22/19.

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.77 RCW; creating a new section;
5 and providing an expiration date.

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

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 28B.77
17 RCW to read as follows:

18 (1)(a) A task force on Title IX protections and compliance is
19 established. The Title IX protections and compliance task force shall
20 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: The state sexual assault coalition; the
30 independent four-year private universities; the private degree-
31 granting institutions and private career colleges; the state
32 affiliate of a national organization focused on civil liberties; and
33 any other agency, organization, or entity the president of the senate
34 and the speaker of the house of representatives agree upon as
35 appropriate;

36 (v) Three members representing campus sexual assault survivors,
37 to be appointed jointly by the president of the senate and the
38 speaker of the house of representatives, upon recommendation by a
39 sexual assault advocacy organization;

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; and

4 (vii) The superintendent of public instruction or the
5 superintendent's designee.

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

9 (2) The task force shall:

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

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

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

19 (3) When carrying out its duties, including developing
20 procedures, policies, and guidance, and to avoid duplicative work,
21 the task force shall take into consideration the work and the
22 recommendations of the campus sexual violence prevention task force
23 created in 2015.

24 (4) The council shall provide staff support for the task force.

25 (5) The task force shall report its findings and recommendations
26 to the appropriate committees of the legislature after changes to the
27 Title IX federal regulations have been adopted.

28 (6) This section expires January 1, 2022.

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