

---

**SUBSTITUTE HOUSE BILL 1539**

---

AS AMENDED BY THE SENATE

Passed Legislature - 2018 Regular Session

**State of Washington                      65th Legislature                      2018 Regular Session**

**By** House Education (originally sponsored by Representatives McCabe, Orwall, Griffey, Caldier, Senn, Dent, Gregerson, Smith, Kraft, Doglio, and Kagi)

READ FIRST TIME 02/02/18.

1            AN ACT Relating to a curriculum for the prevention of sexual  
2 abuse of students; amending RCW 28A.300.150 and 28A.300.160; adding a  
3 new section to chapter 28A.230 RCW; and creating new sections.

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

5            NEW SECTION.    **Sec. 1.**    (1) The legislature recognizes that every  
6 child should experience emotional and physical development that is  
7 free from abuse and neglect. In 2015, Washington child protective  
8 services received reports screened in for investigation that alleged  
9 the sexual abuse or sexual exploitation, or both, of two thousand six  
10 hundred three children. Further, the legislature finds that most  
11 sexual assaults are unreported. The legislature also finds that a  
12 clear relationship exists between youth victimization and mental  
13 health problems and delinquent behavior.

14            (2) The legislature finds that thirty-one states have enacted  
15 Erin's laws. Erin's laws, named in honor of a childhood sexual  
16 assault survivor, are intended to help children, teachers, and  
17 parents identify sexual abuse, and to provide assistance, referral,  
18 or resource information for children and families who are victims of  
19 child sexual abuse. The legislation adopted in these states requires  
20 the study or development of age-appropriate child sexual abuse  
21 identification and prevention.

1 (3) The legislature finds that the federal every student succeeds  
2 act, P.L. 114-95, as signed into law by President Barack Obama on  
3 December 10, 2015, provides federal funding that can be used for the  
4 implementation of programs established in accordance with Erin's  
5 laws.

6 (4) The legislature, therefore, intends to incorporate curriculum  
7 for the prevention of sexual abuse of students in kindergarten  
8 through twelfth grade, such as Erin's law, into an existing statewide  
9 coordinated program for the prevention of child abuse and neglect.

10 **Sec. 2.** RCW 28A.300.150 and 2006 c 263 s 705 are each amended to  
11 read as follows:

12 (1) The superintendent of public instruction shall collect and  
13 disseminate to school districts information on ~~and curricula for the~~  
14 coordinated program for the prevention of sexual abuse of students in  
15 kindergarten through twelfth grade, child abuse, and neglect  
16 ((~~prevention curriculum and~~)) established in RCW 28A.300.160. The  
17 superintendent shall also adopt rules ((~~dealing with~~)) addressing the  
18 prevention of sexual abuse of students in kindergarten through  
19 twelfth grade and child abuse for purposes of ((~~curriculum use~~))  
20 curricula used in ((~~the common~~)) public schools.

21 (2) Effective July 1, 2018, the superintendent of public  
22 instruction and the ((~~departments of social and health services and~~  
23 community, trade, and economic development)) department of children,  
24 youth, and families shall share relevant information in furtherance  
25 of this section.

26 (3) Subject to the availability of amounts appropriated for this  
27 specific purpose, on or before June 30, 2019, the superintendent of  
28 public instruction must review any existing curricula related to the  
29 prevention of sexual abuse of students in kindergarten through  
30 twelfth grade. The review required by this subsection must evaluate  
31 the curricula for alignment with the provisions of RCW  
32 28A.300.160(2).

33 **Sec. 3.** RCW 28A.300.160 and 1995 c 399 s 21 are each amended to  
34 read as follows:

35 (1)(a) Subject to the availability of amounts appropriated for  
36 this specific purpose, the office of the superintendent of public  
37 instruction shall be the lead agency and shall assist the department  
38 of ((~~social and health services, the department of community, trade,~~

1 ~~and economic development,))~~ children, youth, and families and school  
2 districts in establishing a coordinated ~~((primary prevention))~~  
3 program for the prevention of sexual abuse of students in  
4 kindergarten through twelfth grade, child abuse, and neglect.

5 (b) The office of the superintendent of public instruction must,  
6 for any curriculum included within a program for the prevention of  
7 sexual abuse of students in kindergarten through twelfth grade, seek  
8 advice and comments regarding the curriculum from:

- 9 (i) The Washington association of sheriffs and police chiefs;
- 10 (ii) The Washington association of prosecuting attorneys;
- 11 (iii) The Washington state school directors' association;
- 12 (iv) The association of Washington school principals;
- 13 (v) The center for children and youth justice;
- 14 (vi) Youthcare;
- 15 (vii) The committee for children;
- 16 (viii) The office of crime victim advocacy in the department of  
17 commerce; and
- 18 (ix) Other relevant organizations.

19 (2) In developing the program, consideration shall be given to  
20 the following:

21 (a) Parent, teacher, and children's workshops whose information  
22 and training is:

- 23 (i) Provided in a clear, age-appropriate, nonthreatening manner,  
24 delineating the problem and the range of possible solutions;
- 25 (ii) Culturally and linguistically appropriate to the population  
26 served;
- 27 (iii) Appropriate to the geographic area served; and
- 28 (iv) Designed to help counteract common stereotypes about the  
29 sexual abuse of students in kindergarten through twelfth grade, child  
30 abuse victims, and offenders;

31 (b) Training for school-age children's parents and school staff,  
32 which includes:

- 33 (i) Physical and behavioral indicators of abuse;
- 34 (ii) Crisis counseling techniques;
- 35 (iii) Community resources;
- 36 (iv) Rights and responsibilities regarding reporting;
- 37 (v) School district procedures to facilitate reporting and  
38 apprise supervisors and administrators of reports; and
- 39 (vi) Caring for a child's needs after a report is made;

1 (c) Training for licensed day care providers and parents that  
2 includes:

- 3 (i) Positive child guidance techniques;
- 4 (ii) Physical and behavioral indicators of abuse;
- 5 (iii) Recognizing and providing safe, quality day care;
- 6 (iv) Community resources;
- 7 (v) Rights and responsibilities regarding reporting; and
- 8 (vi) Caring for the abused or neglected child;
- 9 (d) Training for children that includes:

10 (i) The right of every child to live free of abuse;

11 (ii) How to disclose incidents of abuse and neglect;

12 (iii) The availability of support resources and how to obtain  
13 help;

14 (iv) Child safety training and age-appropriate self-defense  
15 techniques; and

16 (v) A period for crisis counseling and reporting immediately  
17 following the completion of each children's workshop in a school  
18 setting which maximizes the child's privacy and sense of safety.

19 (3) The ~~((primary))~~ coordinated prevention program established  
20 under this section ~~((shall be))~~ is a voluntary program and ~~((shall~~  
21 ~~not be))~~ is not part of the state's program of basic ~~((program of))~~  
22 education.

23 (4) Parents shall be given notice of the ~~((primary))~~ coordinated  
24 prevention program and may refuse to have their children participate  
25 in the program.

26 NEW SECTION. Sec. 4. A new section is added to chapter 28A.230  
27 RCW to read as follows:

28 Subject to the availability of amounts appropriated for this  
29 specific purpose, the office of the superintendent of public  
30 instruction shall make the curriculum included under section 3(1)(b),  
31 chapter . . ., Laws of 2018 (section 3(1)(b) of this act) available  
32 on its web site.

33 NEW SECTION. Sec. 5. If specific funding for the purposes of  
34 this act, referencing this act by bill or chapter number, is not  
35 provided by June 30, 2018, in the omnibus appropriations act, this  
36 act is null and void.

--- END ---