
SUBSTITUTE HOUSE BILL 1539

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)

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 a new section.

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) On or before September 1, 2018, the superintendent of public
27 instruction must review any existing curricula related to the
28 prevention of sexual abuse of students in kindergarten through
29 twelfth grade. The review required by this subsection must evaluate
30 the curricula for alignment with the provisions of RCW
31 28A.300.160(2).

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

34 (1)(a) The office of the superintendent of public instruction
35 shall be the lead agency and shall assist the department of ((~~social~~
36 and health services, the department of community, trade, and economic
37 development,)) children, youth, and families and school districts in
38 establishing a coordinated ((~~primary prevention~~)) program for the

1 prevention of sexual abuse of students in kindergarten through
2 twelfth grade, child abuse, and neglect.

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

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

17 (2) In developing the program, consideration shall be given to
18 the following:

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

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

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

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

38 (c) Training for licensed day care providers and parents that
39 includes:

- 40 (i) Positive child guidance techniques;

- 1 (ii) Physical and behavioral indicators of abuse;
2 (iii) Recognizing and providing safe, quality day care;
3 (iv) Community resources;
4 (v) Rights and responsibilities regarding reporting; and
5 (vi) Caring for the abused or neglected child;
6 (d) Training for children that includes:
7 (i) The right of every child to live free of abuse;
8 (ii) How to disclose incidents of abuse and neglect;
9 (iii) The availability of support resources and how to obtain
10 help;
11 (iv) Child safety training and age-appropriate self-defense
12 techniques; and
13 (v) A period for crisis counseling and reporting immediately
14 following the completion of each children's workshop in a school
15 setting which maximizes the child's privacy and sense of safety.
16 (3) The (~~primary~~) coordinated prevention program established
17 under this section (~~shall be~~) is a voluntary program and (~~shall~~
18 ~~not be~~) is not part of the state's program of basic (~~program of~~)
19 education.
20 (4) Parents shall be given notice of the (~~primary~~) coordinated
21 prevention program and may refuse to have their children participate
22 in the program.

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

25 The office of the superintendent of public instruction shall make
26 the curriculum included under section 3(1)(b), chapter . . ., Laws of
27 2018 (section 3(1)(b) of this act) available on its web site.

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