
SENATE BILL 5518

State of Washington

64th Legislature

2015 Regular Session

By Senators Kohl-Welles, Litzow, Frockt, Darneille, McAuliffe, Lias, Dammeier, Fain, Keiser, Hasegawa, and Habib

Read first time 01/22/15. Referred to Committee on Higher Education.

1 AN ACT Relating to campus sexual violence; adding a new chapter
2 to Title 28B RCW; creating new sections; providing expiration dates;
3 and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** All survivors of sexual assault, domestic
6 violence, dating violence, and stalking crimes and violations,
7 regardless of race, color, national origin, religion, creed, age,
8 disability, sex, gender identity or expression, sexual orientation,
9 familial status, pregnancy, predisposing genetic characteristics,
10 military status, domestic violence victim status, or criminal
11 conviction, or whether the crime or violation occurs on campus, off
12 campus, or while studying abroad, have the following rights. The
13 right to:

- 14 (1) Have disclosures of sexual violence treated seriously;
- 15 (2) Make a decision about whether or not to disclose a crime or
16 incident and participate in the conduct or criminal justice process
17 free from outside pressures from college officials;
- 18 (3) Be treated with dignity and to receive from college or
19 university officials courteous, fair, and respectful health care and
20 counseling services;

1 (4) Be free from any suggestion that the survivor is at fault
2 when these crimes and violations are committed or should have acted
3 in a different manner to avoid such a crime;

4 (5) Describe the incident to as few individuals as practicable
5 and not be required to unnecessarily repeat a description of the
6 incident;

7 (6) Be free from retaliation by the college or university, the
8 accused, or their friends, family, and acquaintances; and

9 (7) Exercise civil rights and practice of religion without
10 interference by the investigative, criminal justice, or conduct
11 process of the college or university.

12 NEW SECTION. **Sec. 2.** All institutions of higher education must:

13 (1) Establish and implement a uniform process for disciplinary
14 proceedings relating to any claims of sexual violence on their
15 respective campus; and

16 (2) Not implement a different disciplinary process on the same
17 campus for a matter of sexual violence, or alter the uniform process
18 described in subsection (1) of this section, based on the status or
19 characteristics of the student involved in that disciplinary
20 proceeding, including characteristics such as a student's membership
21 on an athletic team, academic year, or any other characteristics or
22 status of a student.

23 NEW SECTION. **Sec. 3.** Institutions of higher education must
24 coordinate with the council of presidents and the state board for
25 community and technical colleges to develop a statewide campus sexual
26 violence awareness campaign to increase awareness among college
27 students, high school students, and parents, of individual safety and
28 prevention techniques as well as the importance of bystander
29 intervention.

30 NEW SECTION. **Sec. 4.** (1) Institutions of higher education shall
31 make information available to all current and prospective students,
32 employees, and parents of students, regarding the institution's
33 campus sexual violence confidentiality and reporting protocols.

34 (2) Institutions of higher education must make resources
35 available to all campus sexual assault survivors who can be
36 confidentially consulted to receive information and support,

1 regardless of whether the survivor chooses to proceed with a formal
2 report of sexual assault.

3 NEW SECTION. **Sec. 5.** (1)(a) The four-year institutions of
4 higher education as defined in RCW 28B.10.016 shall conduct a uniform
5 campus climate assessment survey to gauge the prevalence of sexual
6 assault on their campuses.

7 (b) The state board for community and technical colleges shall
8 conduct a uniform campus climate assessment survey of community and
9 technical colleges to gauge the prevalence of sexual assault on
10 community and technical college campuses.

11 (c) The surveys in this section should assess the student and
12 employee knowledge of:

13 (i) Their institution's Title IX coordinator's role;

14 (ii) Campus policies and procedures addressing sexual assault;

15 (iii) How and where to report sexual violence as a survivor or
16 witness;

17 (iv) The availability of resources on and off campus, such as
18 counseling, health, and academic assistance;

19 (v) The prevalence of victimization and perpetration of sexual
20 assault, domestic violence, dating violence, and stalking on and off
21 campus;

22 (vi) Bystander attitudes and behavior; and

23 (vii) Whether survivors reported to the institution and police
24 and reasons why they did or did not report.

25 (2) Findings shall include an evaluation of student and employee
26 attitudes and awareness of the campus sexual violence issue and
27 should provide recommendations for better addressing and preventing
28 sexual violence on and off campus.

29 (3) The four-year institutions of higher education and the state
30 board for community and technical colleges shall report their
31 findings to the governor, the student achievement council, and the
32 higher education committees of the legislature by December 31, 2015.

33 (4) This section expires July 1, 2016.

34 NEW SECTION. **Sec. 6.** (1)(a) A campus sexual violence work group
35 is established. The work group shall consist of the following
36 members:

1 (i) Two members of the house of representatives, with one member
2 representing each of the major caucuses and appointed by the speaker
3 of the house of representatives;

4 (ii) Two members of the senate, with one member representing each
5 of the major caucuses and appointed by the president of the senate;

6 (iii) One representative from each of the four-year institutions
7 of higher education as defined in RCW 28B.10.016;

8 (iv) One representative from the state attorney general's office;

9 (v) One representative from the council of presidents;

10 (vi) One representative from the state board for community and
11 technical colleges;

12 (vii) One representative from the Washington association of
13 sheriffs and police chiefs; and

14 (viii) One representative from the Washington association of
15 prosecuting attorneys.

16 (b) All members must be appointed by June 30, 2015.

17 (c) The work group shall appoint its own chair and vice chair and
18 shall meet at least once but no more than five times in 2015.

19 (d) Legislative members of the work group shall serve without
20 additional compensation, but shall be reimbursed in accordance with
21 RCW 44.04.120 while attending meetings of the work group.
22 Nonlegislative members of the work group may be reimbursed for travel
23 expenses in accordance with RCW 43.03.050 and 43.03.060.

24 (2) The work group shall submit a report to the governor and the
25 legislature by December 31, 2015, with recommendations for improving
26 state oversight of campus sexual violence policies and procedures.

27 (3) Staff support for the work group shall be jointly provided by
28 senate committee services and the house of representatives office of
29 program research.

30 (4) This section expires July 1, 2016.

31 NEW SECTION. **Sec. 7.** Sections 1 through 4 of this act
32 constitute a new chapter in Title 28B RCW.

33 NEW SECTION. **Sec. 8.** Section 6 of this act is necessary for the
34 immediate preservation of the public peace, health, or safety, or
35 support of the state government and its existing public institutions,
36 and takes effect immediately.

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