



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: August 06, 2019

TIME: 2:46 PM

WSR 19-16-138

Agency: Office of Superintendent of Public Instruction (OSPI)

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If Yes, explain:

Purpose: The purpose of this rule making order is to adopt rules addressing the prevention of sexual abuse of students in kindergarten through twelfth grade. HB 1539 (2018) ("Erin's Law") authorizes OSPI to collect and disseminate to school districts information on and curricula for the coordinated program for the prevention of sexual abuse of K-12 students.

The permanent rule:

- Defines child sexual abuse prevention and child sexual abuse prevention curriculum;
- Clarifies that it is optional for school districts, charter schools, and tribal compact schools to implement child sexual abuse prevention;
- Provides that school districts, charter schools, and tribal compact schools must look at the resources and recommendations for prevention provided by OSPI;
- Requires schools to notify parents and students at least one month prior to instruction of material;
- Allows parent opt out of instruction;
- Requires schools to provide alternative educational opportunities for students; and
- Requires that school districts, charter schools, and tribal compact schools that implement child sexual abuse prevention must maintain policies and procedures specific to reporting and the prevention of child sexual abuse.

Citation of rules affected by this order:

New: 392-410-150
 Repealed:
 Amended:
 Suspended:

Statutory authority for adoption: 28A.300.150

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 19-13-075 on June 17, 2019 (date).

Describe any changes other than editing from proposed to adopted version: None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:
 Address:
 Phone:
 Fax:
 TTY:
 Email:
 Web site:
 Other:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	<u>1</u>	Amended	___	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	___	Amended	___	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	___	Repealed	___
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date Adopted: August 6, 2019

Name: Chris Reykdal

Title: State Superintendent of Public Instruction

Signature:

