

# Multiple Agency Fiscal Note Summary

|                             |   |
|-----------------------------|---|
| <b>Bill Number:</b> 2242 HB | <b>Title:</b> Sexual assault/higher ed. |
|-----------------------------|---|

## Estimated Cash Receipts

NONE

## Estimated Operating Expenditures

| Agency Name                            | 2023-25   |                  |                  |                  | 2025-27     |                   |                   |                   | 2027-29     |                   |                   |                   |
|--|---|------------------|------------------|------------------|-------------|-------------------|-------------------|-------------------|-------------|-------------------|-------------------|-------------------|
|  | FTEs  | GF-State         | NGF-Outlook      | Total            | FTEs        | GF-State          | NGF-Outlook       | Total             | FTEs        | GF-State          | NGF-Outlook       | Total             |
| University of Washington               | 27.5  | 6,592,119        | 6,592,119        | 6,592,119        | 55.1        | 13,084,238        | 13,084,238        | 13,084,238        | 55.1        | 13,084,238        | 13,084,238        | 13,084,238        |
| Washington State University            | Fiscal note not available   |                  |                  |                  |             |                   |                   |                   |             |                   |                   |                   |
| Eastern Washington University          | 6.0   | 1,490,000        | 1,490,000        | 1,490,000        | 6.0         | 1,440,000         | 1,440,000         | 1,440,000         | 6.0         | 1,490,000         | 1,490,000         | 1,490,000         |
| Central Washington University          | 2.8   | 705,807          | 705,807          | 705,807          | 5.5         | 1,411,614         | 1,411,614         | 1,411,614         | 5.5         | 1,411,614         | 1,411,614         | 1,411,614         |
| The Evergreen State College            | Fiscal note not available   |                  |                  |                  |             |                   |                   |                   |             |                   |                   |                   |
| Western Washington University          | 6.3   | 926,954          | 926,954          | 926,954          | 12.5        | 1,840,108         | 1,840,108         | 1,840,108         | 12.5        | 1,840,108         | 1,840,108         | 1,840,108         |
| Western Washington University          | In addition to the estimate above,there are additional indeterminate costs and/or savings. Please see individual fiscal note. |                  |                  |                  |             |                   |                   |                   |             |                   |                   |                   |
| Community and Technical College System | Fiscal note not available   |                  |                  |                  |             |                   |                   |                   |             |                   |                   |                   |
| <b>Total \$</b>                        | <b>42.6</b>   | <b>9,714,880</b> | <b>9,714,880</b> | <b>9,714,880</b> | <b>79.1</b> | <b>17,775,960</b> | <b>17,775,960</b> | <b>17,775,960</b> | <b>79.1</b> | <b>17,825,960</b> | <b>17,825,960</b> | <b>17,825,960</b> |

## Estimated Capital Budget Expenditures

| Agency Name                            | 2023-25                   |          |          | 2025-27    |          |          | 2027-29    |          |          |
|--|---------------------------|----------|----------|------------|----------|----------|------------|----------|----------|
|  | FTEs                      | Bonds    | Total    | FTEs       | Bonds    | Total    | FTEs       | Bonds    | Total    |
| University of Washington               | .0                        | 0        | 0        | .0         | 0        | 0        | .0         | 0        | 0        |
| Washington State University            | Fiscal note not available |          |          |            |          |          |            |          |          |
| Eastern Washington University          | .0                        | 0        | 0        | .0         | 0        | 0        | .0         | 0        | 0        |
| Central Washington University          | .0                        | 0        | 0        | .0         | 0        | 0        | .0         | 0        | 0        |
| The Evergreen State College            | Fiscal note not available |          |          |            |          |          |            |          |          |
| Western Washington University          | .0                        | 0        | 0        | .0         | 0        | 0        | .0         | 0        | 0        |
| Community and Technical College System | Fiscal note not available |          |          |            |          |          |            |          |          |
| <b>Total \$</b>                        | <b>0.0</b>                | <b>0</b> | <b>0</b> | <b>0.0</b> | <b>0</b> | <b>0</b> | <b>0.0</b> | <b>0</b> | <b>0</b> |

Estimated Capital Budget Breakout

NONE

|  |                                 |   |
|--|---------------------------------|---|
| <b>Prepared by:</b> Ramona Nabors, OFM | <b>Phone:</b><br>(360) 742-8948 | <b>Date Published:</b><br>Preliminary 1/18/2024 |
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# Individual State Agency Fiscal Note

|                             |   |   |
|-----------------------------|---|---|
| <b>Bill Number:</b> 2242 HB | <b>Title:</b> Sexual assault/higher ed. | <b>Agency:</b> 360-University of Washington |
|-----------------------------|---|---|

## Part I: Estimates

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No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

|                          | FY 2024 | FY 2025   | 2023-25   | 2025-27    | 2027-29    |
|--------------------------|---------|-----------|-----------|------------|------------|
| FTE Staff Years          | 0.0     | 55.1      | 27.5      | 55.1       | 55.1       |
| <b>Account</b>           |         |           |           |            |            |
| General Fund-State 001-1 | 0       | 6,592,119 | 6,592,119 | 13,084,238 | 13,084,238 |
| <b>Total \$</b>          | 0       | 6,592,119 | 6,592,119 | 13,084,238 | 13,084,238 |

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

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If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.

☐

If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).

☐

Capital budget impact, complete Part IV.

☐

Requires new rule making, complete Part V.

|  |                       |                  |
|--|-----------------------|------------------|
| Legislative Contact: Elizabeth Allison | Phone: 360-786-7129   | Date: 01/11/2024 |
| Agency Preparation: Lauren Hatchett    | Phone: 2066167203     | Date: 01/16/2024 |
| Agency Approval: Michael Lantz         | Phone: 2065437466     | Date: 01/16/2024 |
| OFM Review: Ramona Nabors              | Phone: (360) 742-8948 | Date: 01/18/2024 |

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

House Bill 2242 intends to strengthen protections, resources, and accommodations for survivors of sexual assault at postsecondary institutions of higher education.

Section 2 outlines the rights students have after surviving sexual assault, sexual harassment, and gender-based violence.

Section 3 requires that institutions of higher education establish student health and safety committees that evaluate existing accommodations and report to the legislature, annually, recommendations to better serve survivors.

Section 4 requires that institutions of higher education provide education (in person or electronically) on Title IX reporting processes, accessing support services, consent, and the role of confidential advocates at the start of each academic term, beginning in the 2025 fall academic term.

Section 5 outlines the timeline for the Title IX process.

Section 6 notes that the provisions of this act only apply to main campus locations.

As written, the University of Washington (UW) anticipates expenditures will total \$6.6 million beginning in FY25 and \$6.5 million each year thereafter. Please see the expenditures section for a detailed, section-by-section, explanation of fiscal impact.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

As mentioned in the summary section of this fiscal note, this bill intends to strengthen protections, resources, and accommodations for survivors of sexual assault at postsecondary institutions of higher education. The definition of “survivor” is unclear to us, but we assume that this would apply to all survivors of sexual misconduct, not just those who are within an investigation process. For the purposes of this fiscal note, we have outlined our anticipated costs by section.

SECTION 2 Impact: \$4.4 Million in each FY

Under this section, students who are survivors of sexual assault, sexual harassment, and gender-based violence have the right to the following (that will result in a new fiscal impact on the UW):

- Engage with staff who have been trained in trauma-informed care throughout the entirety of the disclosing process. The cost associated with Title IX personnel and campus-based advocates receiving specific training is already accounted for by the UW. The fiscal impact of providing education for employees who may be a part of a student's disclosing process has been addressed under notes for SECTION 4.
- A quick and timely institutional investigation process not to exceed six months from the date an investigation is initiated. To ensure UW meets the investigation and adjudication timelines established in this bill we anticipate that Compliance

Services would need the following beginning in FY25 and each year thereafter:

- o 0.5 FTE Investigator (annual salary: \$120,000; benefits rate: 30.0%)
- o 1.0 Hearing Officer (annual salary: \$115,000; benefits rate: 30.0%)
- In-person or live electronic education on reporting, available resources provided at the beginning of each term. The fiscal impact of providing education for students and employees has been addressed under notes for SECTION 4.
- Protection from legal retaliation for reporting. The definition of “legal retaliation” is unclear. It is not feasible for the UW to be involved with decisions and processes that are handled by courts. However, retaliation in the University setting can be addressed within existing processes (see Executive Order 70 and Executive Order 31). Because the former is not feasible, we assume there would be no additional fiscal impact on the UW for this subsection.
- Mental health or counseling services for no less than six visits with the same mental health provider. Under federal law, equity is required for both complainants and respondents. To meet this requirement, we anticipate the following beginning in FY25 and each year thereafter:
  - o 16 FTE Mental Health Therapist (annual salary: \$104,000; benefits rate: 30.0%) to ensure complainants and respondents both have access to the same counseling services required by this bill.
  - o 1.0 FTE Assistant Director (annual salary: \$125,000; benefits rate: 30.0%) to supervise Mental Health Therapists and ensure compliance with requirements outlined in this bill.
- Access to support services, including peer advocates and support groups. Under federal law, equity is required for both complainants and respondents. To meet this requirement, we anticipate the following beginning in FY25 and each year thereafter:
  - o 3.0 FTE Peer coaches (annual salary: \$41,537; benefits rate: 21.2%) for 20 student employees to receive training and serve on each campus (12 for Seattle, 4 for Bothell, 4 for Tacoma).
  - o 1.0 FTE Peer Support Group Supervisor (annual salary: \$80,000; benefits rate: 30.0%) to manage Peer Advocates and support groups. Would also develop and lead training.
- Access to 24/7 transportation to sexual assault nurse examiners (SANE) exam. Survivors must have the option to be accompanied by a confidential advocate or peer advocate trained in trauma-informed care.
  - o Access to a vehicle for advocates to respond to 24/7 transportation needs: \$2400/year/campus = \$7200
  - o 9.82 FTE Campus Advocates (annual salary: \$90,000; benefits rate: 30.0%) to increase the current campus advocate team and provide 24/7 coverage on each campus (7 on the Seattle campus, and 3 on the Bothell and Tacoma campuses. 9 FTE will be new positions and 0.61 FTE accounts for 4 existing positions that currently serve each campus as Campus Advocates, but their position descriptions and salary will need to change in order to ensure 24/7 coverage.
  - o 5 FTE Counseling Services Coordinator (annual salary: 70,000; benefits rate: 30.0%) will provide commensurate resources to respondents in order to meet federal Title IX requirements.
- Academic supportive measures to reduce impact to academic progress. The bill states that a confidential advocate must be made available to a survivor to assist with the supportive measure request. Currently, Title IX Case Managers assist in these supportive measures to both complainants and respondents and so this requirement is already being met.

### SECTION 3 Impact: \$185,000 in each FY

This section of the bill would require staff time to facilitate and coordinate a student health and safety committee; including the cost of staff time to schedule and run meetings, evaluation activities (focus groups, surveys, strategic interviewing of key partners), analysis of data gathered, and time to format and finalize annual reports to the legislature. The UW does not currently have staff to meet this requirement and would need to hire a Program Manager and an Institutional Analyst. As a result of this section of the bill the Office of the Title IX Coordinator would need the following beginning in FY25 and each year thereafter:

- 0.5 FTE Program Manager (annual salary: \$90,000; benefits rate: 30.0%)

- 1.0 FTE Institutional Analyst (annual salary of \$90,000; benefits rate: 30.0%) who would also provide evaluation services in SECTION 4.
- \$10,000 for stipends for committee members and participant incentives for additional evaluation activities

#### SECTION 4 Impact: \$1.6 Million in each FY

This section indicates that all students and employees who might interact with a survivor must be provided 3 hours of in-person or virtual live education on Title IX at the beginning of every academic term. This is interpreted as a requirement to provide this annual training to all employees and students because any individual could interact with a survivor in their work or studies in the academic environment. Currently, the UW provides a 60-90 minute online asynchronous course on Title IX for all new employees and new students. The UW does not currently provide annual in-person or live online education on Title IX for all employees and students and does not currently have staff to support this work. To operate an education program of this scale and meet the requirements of the bill the Office of the Title IX Coordinator has the following staffing requirements beginning in FY25 and each year thereafter:

- 1.0 FTE Training Manager (annual salary: \$105,000; benefits rate: 30.0%)
- 12 FTE Training Specialists (annual salary: \$80,000; benefits rate: 30.0%)
- 1.0 FTE Training Administrative Specialist (annual salary: \$75,000; benefits rate: 30.0%)
- 0.25 FTE Technology Analyst (annual salary: \$90,000; benefits rate: 30.0%)

The rationale for the above FTE considers the UW's employee population. The UW has over 45,000 non-student employees and 60,000 students. If education sessions were held in groups of 100, it would require 1,050 education sessions to be provided annually, which would necessitate approximately 4.2 sessions per business day. Each 3-hour education session would require 2 Training Specialists to be present to facilitate and manage technology. In addition, the Training Specialists would be responsible for designing the curriculum, updating the curriculum, and coordinating any participant follow-up needed.

In addition to providing at minimum two in-person sessions per week, especially for employees who do not have access to computers, there will be an annual room reservation cost of \$26,000 and a cost of \$20,000 for real-time interpretation services for employees who need the education delivered in a language other than English. To ensure participation in educational evaluation activities there is a cost of \$5,000 for student and employee incentives. In addition, due to having campuses in Seattle, Tacoma, and Bothell, there would be associated travel costs of \$3,000. These would all be annual recurring costs.

#### SECTION 5 Impact: \$422,000 in FY25 and \$372,000 in FY26+

This section concerns the timeline for the Title IX process and requires that the Title IX and Investigation Office staff provide flexibility and capacity to meet the 10-day assessment timeline and the increased communication with complainants and respondents to inform them of the inevitable extensions to the law's-imposed timelines. To meet the requirements of this section, we estimate the following additional FTE beginning in FY25 and each year thereafter:

- 0.5 FTE Investigator (annual salary: \$120,000; benefits rate: 30.0%) in the Investigator's Office.
- 1.0 FTE for a Title IX Case Manager (annual salary: \$85,000; benefits rate 30.0%) in the Title IX Office.

This section also requires the University to provide an online tool for students to track the progress of their investigation. The University of Washington does not currently have an online tool that allows students to track their investigation progress. The University would have to implement an external vendor product to meet this requirement. The ongoing cost for these types of tools (e.g., Salesforce or Navex) is \$125,000 annually with a \$50,000 one-time set-up fee. In addition, a 0.5 FTE Technology Analyst (annual salary: \$90,000; benefits rate: 30.0%) would be required to implement the software, provide ongoing support for the platform, record UW data, respond to student questions, and staff user needs.

#### SECTION 6

This section notes that the provisions of this act only apply to main campus locations. For this fiscal note, the estimates that we have provided consider the Bothell, Seattle, and Tacoma campuses as well as employees in UW Medicine.

### Part III: Expenditure Detail

#### III. A - Operating Budget Expenditures

| Account  | Account Title | Type  | FY 2024 | FY 2025   | 2023-25   | 2025-27    | 2027-29    |
|----------|---------------|-------|---------|-----------|-----------|------------|------------|
| 001-1    | General Fund  | State | 0       | 6,592,119 | 6,592,119 | 13,084,238 | 13,084,238 |
| Total \$ |               |       | 0       | 6,592,119 | 6,592,119 | 13,084,238 | 13,084,238 |

#### III. B - Expenditures by Object Or Purpose

|                                      | FY 2024 | FY 2025   | 2023-25   | 2025-27    | 2027-29    |
|--------------------------------------|---------|-----------|-----------|------------|------------|
| FTE Staff Years                      |         | 55.1      | 27.5      | 55.1       | 55.1       |
| A-Salaries and Wages                 |         | 4,889,911 | 4,889,911 | 9,779,822  | 9,779,822  |
| B-Employee Benefits                  |         | 1,456,008 | 1,456,008 | 2,912,016  | 2,912,016  |
| C-Professional Service Contracts     |         | 195,000   | 195,000   | 290,000    | 290,000    |
| E-Goods and Other Services           |         | 41,000    | 41,000    | 82,000     | 82,000     |
| G-Travel                             |         | 10,200    | 10,200    | 20,400     | 20,400     |
| J-Capital Outlays                    |         |           |           |            |            |
| M-Inter Agency/Fund Transfers        |         |           |           |            |            |
| N-Grants, Benefits & Client Services |         |           |           |            |            |
| P-Debt Service                       |         |           |           |            |            |
| S-Interagency Reimbursements         |         |           |           |            |            |
| T-Intra-Agency Reimbursements        |         |           |           |            |            |
| 9-                                   |         |           |           |            |            |
| Total \$                             | 0       | 6,592,119 | 6,592,119 | 13,084,238 | 13,084,238 |

#### III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

| Job Classification                 | Salary  | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|------------------------------------|---------|---------|---------|---------|---------|---------|
| Assistant Director                 | 125,000 |         | 1.0     | 0.5     | 1.0     | 1.0     |
| Campus Advocate                    | 90,000  |         | 9.8     | 4.9     | 9.8     | 9.8     |
| Counseling Services Coordinator    | 70,000  |         | 5.0     | 2.5     | 5.0     | 5.0     |
| Hearing Officer                    | 115,000 |         | 1.0     | 0.5     | 1.0     | 1.0     |
| Institutional Analyst 2            | 90,000  |         | 1.0     | 0.5     | 1.0     | 1.0     |
| Investigator 1                     | 120,000 |         | 0.5     | 0.3     | 0.5     | 0.5     |
| Investigator 2                     | 120,000 |         | 0.5     | 0.3     | 0.5     | 0.5     |
| Mental Health Therapist            | 104,000 |         | 16.0    | 8.0     | 16.0    | 16.0    |
| Peer Coach                         | 41,537  |         | 3.0     | 1.5     | 3.0     | 3.0     |
| Peer Support Group Supervisor      | 80,000  |         | 1.0     | 0.5     | 1.0     | 1.0     |
| Program Manager                    | 90,000  |         | 0.5     | 0.3     | 0.5     | 0.5     |
| Technology Analyst 1               | 90,000  |         | 0.3     | 0.1     | 0.3     | 0.3     |
| Technology Analyst 2               | 90,000  |         | 0.5     | 0.3     | 0.5     | 0.5     |
| Title IX Case Manager              | 85,000  |         | 1.0     | 0.5     | 1.0     | 1.0     |
| Training Administrative Specialist | 75,000  |         | 1.0     | 0.5     | 1.0     | 1.0     |
| Training Manager                   | 105,000 |         | 1.0     | 0.5     | 1.0     | 1.0     |
| Training Specialist                | 80,000  |         | 12.0    | 6.0     | 12.0    | 12.0    |
| Total FTEs                         |         |         | 55.1    | 27.5    | 55.1    | 55.1    |

#### III. D - Expenditures By Program (optional)

NONE

### Part IV: Capital Budget Impact

#### IV. A - Capital Budget Expenditures

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*



# Individual State Agency Fiscal Note

|                             |   |  |
|-----------------------------|---|--|
| <b>Bill Number:</b> 2242 HB | <b>Title:</b> Sexual assault/higher ed. | <b>Agency:</b> 370-Eastern Washington University |
|-----------------------------|---|--|

## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

|                          | FY 2024 | FY 2025 | 2023-25   | 2025-27   | 2027-29   |
|--------------------------|---------|---------|-----------|-----------|-----------|
| FTE Staff Years          | 6.0     | 6.0     | 6.0       | 6.0       | 6.0       |
| <b>Account</b>           |         |         |           |           |           |
| General Fund-State 001-1 | 770,000 | 720,000 | 1,490,000 | 1,440,000 | 1,490,000 |
| <b>Total \$</b>          | 770,000 | 720,000 | 1,490,000 | 1,440,000 | 1,490,000 |

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- ☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

|  |                       |                  |
|--|-----------------------|------------------|
| Legislative Contact: Elizabeth Allison | Phone: 360-786-7129   | Date: 01/11/2024 |
| Agency Preparation: Keith Tyler        | Phone: 509 359-2480   | Date: 01/16/2024 |
| Agency Approval: Tammy Felicijan       | Phone: (509) 359-7364 | Date: 01/16/2024 |
| OFM Review: Ramona Nabors              | Phone: (360) 742-8948 | Date: 01/18/2024 |

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

Sections of HB 2242 with amendments impacting EWU are as follows. Compliance with these sections will require significant resources for staffing as well as infrastructure that EWU currently does not have.

- The provisions of section 2(1)(a-h) provide students of institutions of higher education who are survivors of sexual assault, sexual harassment, or gender-based violence rights to support services:
  - o (a) engagement with institutional staff trained in trauma-informed care throughout the disclosure process. Title IX staff who may interact with a survivor must receive at least three hours of training on relationship violence, abuse dynamics, impacts of trauma on the body, and other forms of violence, to be provided by the institution.
  - o (b) an institutional investigation process not to exceed six months
  - o (c) In-person or live electronic education provided at the beginning of each academic term on reporting sexual assault, sexual harassment, or gender-based violence and available resources including confidential advocates.
  - o (d) Institutions must have a policy against legal retaliation for reporting sexual assault, sexual harassment, or gender-based violence.
  - o (e) on campus or offsite mental health or counseling services. Institutions must make a good-faith effort to provide access to no less than six visits to the same provider.
  - o (f) access to support services. A trained confidential advocate must be made available within two business days of a report. Institutions must provide 24/7 transportation to sexual assault nurse examiners and forensic medical services on campus or at a medical facility. Survivors must have the option to be accompanied by a confidential advocate or peer advocate. Peer advocates must be trained in trauma-informed care and have 40 hours of basic advocacy training provided by the institution.
  - o (g) accommodations to prevent academic harm, including availability of a confidential advocate to assist with the accommodation request.
  - o (h) have court-issued no-contact and restraining orders honored and reported to university police and security services by a trained staff person
- Section 5 states that (1) the Title IX process may not exceed 180 business days from the date a report is made except under extenuating circumstances. (2) If the process will take longer than 180 days, the institution must provide the student with a written explanation and estimated date to complete. (3) Institutions must provide an online tool for students to track the process of their investigation.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

To appropriately provide the services outlined in section 2(1)(a-h) as well as in section 5, EWU will require the following resources:

- Title IX software for communicating with survivors: \$35,000 per year
- 1 FTE Title IX investigator who would handle the scheduling of hearings to keep investigations within the required timeframe of 180 business days: \$140,000 per year (salary plus benefits at 25% rate)
- 4 FTE confidential victim advocates (including a person who could support respondents): \$100,000 (salary plus benefits at 25% rate) per employee per year, plus \$10,000 for expenses and training per employee: total of \$440,000 per year
- Transportation for survivors: \$50,000 vehicle cost on a 5 year replacement cycle, \$20,000 annual costs
- 1 FTE program coordinator to provide the training to students and employees: \$85,000 (salary plus benefits at 25% rate)

per year

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

| Account  | Account Title | Type  | FY 2024 | FY 2025 | 2023-25   | 2025-27   | 2027-29   |
|----------|---------------|-------|---------|---------|-----------|-----------|-----------|
| 001-1    | General Fund  | State | 770,000 | 720,000 | 1,490,000 | 1,440,000 | 1,490,000 |
| Total \$ |               |       | 770,000 | 720,000 | 1,490,000 | 1,440,000 | 1,490,000 |

III. B - Expenditures by Object Or Purpose

|                                      | FY 2024 | FY 2025 | 2023-25   | 2025-27   | 2027-29   |
|--------------------------------------|---------|---------|-----------|-----------|-----------|
| FTE Staff Years                      | 6.0     | 6.0     | 6.0       | 6.0       | 6.0       |
| A-Salaries and Wages                 | 500,000 | 500,000 | 1,000,000 | 1,000,000 | 1,000,000 |
| B-Employee Benefits                  | 125,000 | 125,000 | 250,000   | 250,000   | 250,000   |
| C-Professional Service Contracts     |         |         |           |           |           |
| E-Goods and Other Services           | 145,000 | 95,000  | 240,000   | 190,000   | 240,000   |
| G-Travel                             |         |         |           |           |           |
| J-Capital Outlays                    |         |         |           |           |           |
| M-Inter Agency/Fund Transfers        |         |         |           |           |           |
| N-Grants, Benefits & Client Services |         |         |           |           |           |
| P-Debt Service                       |         |         |           |           |           |
| S-Interagency Reimbursements         |         |         |           |           |           |
| T-Intra-Agency Reimbursements        |         |         |           |           |           |
| 9-                                   |         |         |           |           |           |
| Total \$                             | 770,000 | 720,000 | 1,490,000 | 1,440,000 | 1,490,000 |

III. C - Operating FTE Detail: List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

| Job Classification            | Salary  | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|-------------------------------|---------|---------|---------|---------|---------|---------|
| Confidential Victim Advocates | 80,000  | 4.0     | 4.0     | 4.0     | 4.0     | 4.0     |
| Program Coordinator           | 70,000  | 1.0     | 1.0     | 1.0     | 1.0     | 1.0     |
| Title IX Investigator         | 110,000 | 1.0     | 1.0     | 1.0     | 1.0     | 1.0     |
| Total FTEs                    |         | 6.0     | 6.0     | 6.0     | 6.0     | 6.0     |

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

|                             |   |  |
|-----------------------------|---|--|
| <b>Bill Number:</b> 2242 HB | <b>Title:</b> Sexual assault/higher ed. | <b>Agency:</b> 375-Central Washington University |
|-----------------------------|---|--|

## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

|                          | FY 2024 | FY 2025 | 2023-25 | 2025-27   | 2027-29   |
|--------------------------|---------|---------|---------|-----------|-----------|
| FTE Staff Years          | 0.0     | 5.5     | 2.8     | 5.5       | 5.5       |
| <b>Account</b>           |         |         |         |           |           |
| General Fund-State 001-1 | 0       | 705,807 | 705,807 | 1,411,614 | 1,411,614 |
| <b>Total \$</b>          | 0       | 705,807 | 705,807 | 1,411,614 | 1,411,614 |

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- ☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

|  |                       |                  |
|--|-----------------------|------------------|
| Legislative Contact: Elizabeth Allison | Phone: 360-786-7129   | Date: 01/11/2024 |
| Agency Preparation: Alexa Orcutt       | Phone: 5099632955     | Date: 01/18/2024 |
| Agency Approval: Lisa Plesha           | Phone: (509) 963-1233 | Date: 01/18/2024 |
| OFM Review: Ramona Nabors              | Phone: (360) 742-8948 | Date: 01/18/2024 |

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

Section 1: New: Section 1: New: The legislature recognizes that policies regarding sexual assault/harassment, and gender-based violence have evolved into a survivor-focused, victim-centered approach on a state level. While postsecondary institutions are lacking protections for students against sexual assault/harassment and gender-based violence. Survivors at IHEs should be entitled to certain protections, resources, and accommodations to help them navigate the aftermath of traumatic sexual assault/harassment, and gender-based violence.

Section 2: New: (1) A student at a Washington state IHE (in addition to other rights provided by law) who is a survivor of sexual assault/harassment, and gender-based violence has the right to:

(a) Engage with trauma-informed care trained staff throughout the disclosure process. Trained for staff in accordance with section 4 of this act;

(b) Investigational process can't exceed six months from the date an investigation is initiated; (c) In-person or live electronic education must be provided at the beginning of each academic term on reporting sexual assault/harassment and gender-based violence. Also, have available resources, such as confidential advocates;

(d) Institutions need to have a policy against legal retaliation for reporting sexual assault/harassment and gender-based violence;

(e) Mental health/counseling service, on campus or off-site, regardless of whether the student chooses to make a formal report via Title IX or law enforcement. The IHE must make a good faith effort to ensure students have access to a minimum of six visits with the same mental health provider either in-person or via telehealth;

(f) Access to support services: peer and confidential advocates, and gender-based violence support groups. Will need to provide 24/7 transportation access to sexual assault nurse examiners and forensic medical services on-campus or at a medical facility;

(g) Academic accommodations to prevent academic harm, and students will not be required to disclose sexual assault to faculty to receive accommodations under this subsection;

(h) Court-issued no-contact and restraining orders honored and report to university police by a trained staff person (i.e. confidential advocate); and

(i) Made aware by an employee if the employee is a Title IX mandatory reporter and to whom the employee reports.

(2) Describes "confidential advocate". Confidential advocates don't report incidents to the university.

Section 3: New: Public IHEs that serve 8,000+ students will establish a student health and safety committee with various representatives to evaluate barriers that impact survivors and their ability to access services and obtain accommodations. The committee will evaluate existing accommodations and make recommendations. And report its recommendations annually to the appropriate committees of the legislature in accordance with RCW 43.01.036.

Section 4: New: (1) Starting the 2025 fall academic term, institution will provide education on the Title IX report process for sexual assault/harassment, and gender-based violence, accessing support services, consent, and availability/role of confidential advocates at the beginning of each academic term. And make sure the education is available throughout the year. (2) Education required in (1) of this section must be provided to all students and any staff who may interact with a survivor.

Section 5: New: (1) Title IX process can't exceed 180 business days from the date a report is made unless there are certain circumstances. Timeline for each step of Title IX process is:

(a) student must receive information on available resources;

(b) initial assessment must be completed within 10 business days;

(c) investigation must be completed within 120 days of the initial report or disclosure; and

(d) if a sanction is issued it must be determined and administered within 10 days of the final decision.

(2) If the process will take longer than 180 business days due to extenuating circumstances, the IHE will provide an

explanation to the student. (3) Students must be kept informed. IHEs will provide an online tool for student to track the process of their investigation.

Section 6: New: Provision of this act apply only to main campus locations.

Section 7: Amending RCW 28B.110.020 and 1989 c 341 s 2 as follows: Adding technical colleges.

The existing legislative package (Basic Needs: PATH staffing) submitted by CWU covers FTE needed to comply with this proposed bill.

## **II. B - Cash receipts Impact**

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

## **II. C - Expenditures**

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

The proposed HB 2242 represents significant costs to comply. Section 2 (1) (a-i) outlines the requirements of institutions of higher education to provide to survivors of sexual assault, sexual harassment, and gender-based violence. Central Washington University has services and mechanisms that currently meet some of the requirements of this bill. Those, as well as areas where funding would be needed to comply, are outlined below:

(a) CWU would utilize an online training program (SUNY) to meet the requirements of Section 2.1.a for trauma-informed training of Title IX staff at an annual cost of \$5500.

(b) Costs associated with a quick and timely investigation not lasting longer than 6 months are generally indeterminate. CWU is not aware of an instance where an investigation was unnecessarily delayed. To ensure a quick and timely investigation and response and to meet the necessary timelines listed in Section 5, while remaining IX compliant CWU would need to hire a Respondent Consultant at 1 FTE with an estimated cost of \$65,170/year. This position would act in a similar capacity as the Confidential Advocate and provide the equitable services to the respondents. Respondent Consultant - 1 FTE - Salary: \$49,000 + benefits of 33% = \$65,170

(c) Costs associated in-person or live electronic education requirement are estimated at \$25,000 annually and would include an anti-hazing, sexual misconduct prevention, and DEI modules. The additional requirements of available confidential advocates would add an additional 2 FTE of staffing, costing an estimated \$148,960/year. These confidential advocates or PATH advocates would support survivors of sexual assault/harassment, and gender-based violence. It should be noted that CWU included the 2 FTE Path Advocate positions in its budget request decision package for Basic Student Needs. The FTE costed in this fiscal note represent the same FTE we requested in our budget request. 1 FTE PATH Advocate Coordinator annual salary of \$49,000 + 33% benefits rate = \$65,170, 1 FTE PATH Advocate Director annual salary of \$63,000 + 33% benefits rate = \$83,790.

(d) The requirement for institutions to have a policy against legal retaliation is not within the purview of the institution and would be impossible to fulfill. However, CWU does have policies in place against retaliation for reporting sexual assault, harassment, or gender-based violence as it pertains to the operations of the University.

(e) To fulfill the requirements of access to no less than 6 visits with the same mental health counselor, either in person or electronically via telehealth, CWU estimates needing a combination of staffing and telehealth contract support to meet the needs of survivors while still seeing to the needs of non-survivor students attending CWU's campuses. In total, CWU estimates needing 3 – 10 month contracted Mental Health Therapist/Psychologists (total of 2.5 FTE) at a cost of \$299,250 to handle the caseload of survivors and respondents in order to make a good faith effort to ensure students have access to

no less than six visits with the same mental health provider. Additionally, CWU would need the support of our telehealth platform contract in the amount of \$150,000 annually. 3 \* 10 month contract Mental Health Therapist/Psychologists at an annual salary of \$90,000 (10/12 \* 90,000) + 33% benefits rate = \$299,250

(f) CWU does not have 24/7 advocacy that can provide for the requirements in (f). Currently, CWU works closely with ASPEN, a victim advocacy service organization located in Ellensburg, to provide victim services after hours, including transportation. The rural community hospital system in Ellensburg employs 4 SANE nurses. There is never a guarantee that one of these nurses will be on shift at the time a victim may need their services. It is possible for a victim to have a wait time of 10+ hours to receive an exam from a SANE nurse. Costs to CWU to provide the required services in (f) are indeterminate. It is possible that transporting a victim to a Yakima area hospital (approximately 40 miles away) could result in a higher chance of seeing a SANE nurse within a quicker time frame or that hiring a qualified SANE nurse at CWU would be a better option. To hire a SANE nurse would cost approximately \$135,000 annually. It may also be cost-effective to contract services with ASPEN, but those costs and which services would be contracted are unknown at this time and therefore indeterminate.

(g) It would not be possible to fully comply with (g) in providing all courses for survivors through an alternate means. Specifically at CWU the Aviation program requires many hours operating an air plane and would not be able to be complete through any other virtual delivery system. Similarly, many labs require student attendance and participation. It is unclear what types of format would be acceptable. Recording a course does not allow for any student interaction, but could be accommodated with equipment CWU already owns for DE courses. CWU uses a digital note-taking software for students with a disability at a cost of \$1300/5 licenses. Costs to comply with the requirements in (f) are indeterminate as it is unknown how we would accommodate courses that required in-person participation.

(h) There is no cost to CWU to comply with (h)

Section 3 – CWU is already complying with Section 3 and has a Culture of Respect Council that meets the requirements of this Section.

Section 4 – To comply with subsection 1 of this section, CWU is using the Step-Up Facilitator Training at \$1750/year. CWU is in the process of delivering the training required in subsection 2 with a confidential advocate training regarding Title IX reporting processes provided by the Association for Title IX Administrators at a cost of \$2625/annually.

Section 5 – outlines a timeline for which the Title IX staff must comply in their investigation and reporting. As stated previously, there is no known instance of a Title IX investigation being delayed and given the provision in the bill for extenuating circumstances, there does not appear to be anything preventing compliance with this section. To comply with the requirement to provide an online tool for victims to track the progress of their investigation CWU would consider purchasing the Guardian software at a cost of \$4552/year. Additional software to track caseload would cost \$1500/year, while training for confidential advocates would cost an additional \$1500/year.

In total the estimated costs to comply with this legislation would be as follows:

Staffing costs (salaries/benefits) - \$513,380  
Telehealth Services Contract Support - \$150,000  
Training - \$36,375  
Software - \$6,052  
Total costs - \$705,807



Part III: Expenditure Detail

III. A - Operating Budget Expenditures

| Account  | Account Title | Type  | FY 2024 | FY 2025 | 2023-25 | 2025-27   | 2027-29   |
|----------|---------------|-------|---------|---------|---------|-----------|-----------|
| 001-1    | General Fund  | State | 0       | 705,807 | 705,807 | 1,411,614 | 1,411,614 |
| Total \$ |               |       | 0       | 705,807 | 705,807 | 1,411,614 | 1,411,614 |

III. B - Expenditures by Object Or Purpose

|                                      | FY 2024 | FY 2025 | 2023-25 | 2025-27   | 2027-29   |
|--------------------------------------|---------|---------|---------|-----------|-----------|
| FTE Staff Years                      |         | 5.5     | 2.8     | 5.5       | 5.5       |
| A-Salaries and Wages                 |         | 386,000 | 386,000 | 772,000   | 772,000   |
| B-Employee Benefits                  |         | 127,380 | 127,380 | 254,760   | 254,760   |
| C-Professional Service Contracts     |         |         |         |           |           |
| E-Goods and Other Services           |         | 192,427 | 192,427 | 384,854   | 384,854   |
| G-Travel                             |         |         |         |           |           |
| J-Capital Outlays                    |         |         |         |           |           |
| M-Inter Agency/Fund Transfers        |         |         |         |           |           |
| N-Grants, Benefits & Client Services |         |         |         |           |           |
| P-Debt Service                       |         |         |         |           |           |
| S-Interagency Reimbursements         |         |         |         |           |           |
| T-Intra-Agency Reimbursements        |         |         |         |           |           |
| 9-                                   |         |         |         |           |           |
| Total \$                             | 0       | 705,807 | 705,807 | 1,411,614 | 1,411,614 |

III. C - Operating FTE Detail: List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

| Job Classification                                    | Salary | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|---|--------|---------|---------|---------|---------|---------|
| Mental Health<br>Therapist/Psychologists (3 - 10 mont | 90,000 |         | 2.5     | 1.3     | 2.5     | 2.5     |
| Path Advocate Coordinator                             | 49,000 |         | 1.0     | 0.5     | 1.0     | 1.0     |
| Path Advocate Director                                | 63,000 |         | 1.0     | 0.5     | 1.0     | 1.0     |
| Respondent Consultant                                 | 49,000 |         | 1.0     | 0.5     | 1.0     | 1.0     |
| Total FTEs  |        |         | 5.5     | 2.8     | 5.5     | 5.5     |

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

|                             |   |  |
|-----------------------------|---|--|
| <b>Bill Number:</b> 2242 HB | <b>Title:</b> Sexual assault/higher ed. | <b>Agency:</b> 380-Western Washington University |
|-----------------------------|---|--|

## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

|                          | FY 2024 | FY 2025 | 2023-25 | 2025-27   | 2027-29   |
|--------------------------|---------|---------|---------|-----------|-----------|
| FTE Staff Years          | 0.0     | 12.5    | 6.3     | 12.5      | 12.5      |
| <b>Account</b>           |         |         |         |           |           |
| General Fund-State 001-1 | 0       | 926,954 | 926,954 | 1,840,108 | 1,840,108 |
| <b>Total \$</b>          | 0       | 926,954 | 926,954 | 1,840,108 | 1,840,108 |

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- ☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

|  |                       |                  |
|--|-----------------------|------------------|
| Legislative Contact: Elizabeth Allison | Phone: 360-786-7129   | Date: 01/11/2024 |
| Agency Preparation: Timothy Davenport  | Phone: 3606503257     | Date: 01/16/2024 |
| Agency Approval: Anna Hurst            | Phone: 360-650-3569   | Date: 01/16/2024 |
| OFM Review: Ramona Nabors              | Phone: (360) 742-8948 | Date: 01/18/2024 |

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

Section 2: Establishes a list of rights to which survivors of sexual harassment, sexual assault, and gender-based violence are entitled at institutions of higher education.

Section 3: Requires certain public institutions of higher education to establish a Student Health and Safety Committee. The committee shall annually report its recommendations to the appropriate committees of the legislature per RCW 43.01.036.

Section 4: Requires public institutions of higher education to provide education on the Title IX reporting process and other resources available to survivors of sexual assault, sexual harassment, and gender-based violence.

Section 5: Provides that the Title IX process may not exceed 180 business days from the date a report of sexual assault, sexual harassment, or gender-based violence is reported. Exceptions require a written explanation. Victims must be kept informed on the status of the investigation throughout of the Title IX process via an online tool.

Section 6. Limits the application of the provisions in the act to main campus locations.

Section 7. Amends the definition of "institutions of higher education" to include state universities, regional universities, The Evergreen State College, community colleges, and technical colleges for the purposes of the chapter.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

Sec. 2b – This 180-day timeline requirement for investigations without an exception for extenuating circumstances requires additional staff to monitor and expedite cases. The majority of cases are currently completed within this timeframe.

Sec. 2c – This training is currently required of all employees once every three years, and is required by policy of new students and transfer students. It is unclear from the bill if this training would be required for students and employees to complete at the beginning of each academic term or if it would just be required to be offered at the beginning of each term. Either one will take staff time to implement; the former will require additional hires and significant staff time.

Sec. 2e – To provide six visits with the same mental health provider would require additional counseling staff. It's unclear if this is with the same mental health provider (i.e., organization) or the same counselor (i.e., person); we presume the latter was intended.

Sec. 2f – The creation of a confidential peer advocate program would take significant staff time and require additional hires. The 24/7 transport for SANE exams to be accompanied by a confidential advocate (at victim's option) would require additional hires and the creation of an on-call system unless it can be incorporated into existing police dispatch and transport. The 40-hour training requirement for peer advocates would also require significant staff time to develop and implement.

Sec. 2f – The confidential advocate to assist with academic accommodation for the victim will require additional staffing.

Sec. 3 – Requires certain public institutions of higher education to establish a Student Health and Safety Committee which shall annually report its recommendations to the appropriate committees of the legislature. This would take significant staff time to implement the creation of a committee across multiple internal and external stakeholders to regularly meet and review barriers and submit an annual report to the legislature. This will require additional administrative support staff.

Sec. 4 – Similar to Sec. 2c, it would take significant staff time to develop and implement the training requirements of this section. We currently provide approximately 1.5 hours of training through online modules that are required of all students, staff, and faculty. Currently, training is only required for employees every three years and for new and transfer students. We would need to create additional content to make the 3 hour minimum and have this training available at the beginning of each term and throughout the academic year.

Sec. 5 – Provides that the Title IX process generally may not exceed 180 business days from the date a report of sexual assault, sexual harassment, or gender-based violence is reported. Exceptions require a written explanation. Additional timelines are imposed for providing status information to the victim, completing the initial assessment, completing the investigation, and administering any sanctions. If these timelines remain we would need to hire several additional staff to expedite the hearing and sanctioning processes. Victims must be kept informed on the status of the investigation throughout of the Title IX process via an online tool. Students are currently kept informed of the status of their case throughout the process. If we are required to have an online tool for students to check-in on status that will incur additional cost for software purchase.

Additional staffing needs (personnel costs in are included in FY25 to be ready for go-live by fall 2025):

2.0 FTE – Training Coordinator  
0.5 FTE – Health & Safety Committee Administrative Support  
1.0 FTE – Investigator  
1.0 FTE – Case Manager

Counseling & Wellness – Additional Staffing needs

2.0 FTE – Counselors  
2.0 FTE – Professional Confidential Advocates  
1.0 FTE – Prevention Education Staff

Office of Student Life – Additional Staffing needs

1.0 FTE – Student Conduct Officer  
0.5 FTE – Hearings Admin Support  
0.5 FTE – Hearing Board Officers  
0.5 FTE – Hearing Board Panelists  
0.5 FTE – Hearing Advisors

Case Management Software – to improve case timeline tracking and to offer an online portal for students to check the status of their case. A vendor recently reviewed has a ready to go product that may meet all of the requirements, implementation costs \$6900, plus annual subscription costs \$9,600. Start up costs are included in FY25 to be ready for go-live by fall 2025 (FY26).

Regarding Sec. 2f which requires 24/7 transportation for victims (and their advocates) for SANE or forensic medical services, there are concerns with using our university police department for providing transportation services. From a logistical perspective, there could be substantial indeterminate costs associated with providing 24/7 transportation services. Clarification of the intent of this section is needed.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

| Account  | Account Title | Type  | FY 2024 | FY 2025 | 2023-25 | 2025-27   | 2027-29   |
|----------|---------------|-------|---------|---------|---------|-----------|-----------|
| 001-1    | General Fund  | State | 0       | 926,954 | 926,954 | 1,840,108 | 1,840,108 |
| Total \$ |               |       | 0       | 926,954 | 926,954 | 1,840,108 | 1,840,108 |

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

|                                      | FY 2024 | FY 2025 | 2023-25 | 2025-27   | 2027-29   |
|--------------------------------------|---------|---------|---------|-----------|-----------|
| FTE Staff Years                      |         | 12.5    | 6.3     | 12.5      | 12.5      |
| A-Salaries and Wages                 |         | 701,920 | 701,920 | 1,403,840 | 1,403,840 |
| B-Employee Benefits                  |         | 208,534 | 208,534 | 417,068   | 417,068   |
| C-Professional Service Contracts     |         |         |         |           |           |
| E-Goods and Other Services           |         | 16,500  | 16,500  | 19,200    | 19,200    |
| G-Travel                             |         |         |         |           |           |
| J-Capital Outlays                    |         |         |         |           |           |
| M-Inter Agency/Fund Transfers        |         |         |         |           |           |
| N-Grants, Benefits & Client Services |         |         |         |           |           |
| P-Debt Service                       |         |         |         |           |           |
| S-Interagency Reimbursements         |         |         |         |           |           |
| T-Intra-Agency Reimbursements        |         |         |         |           |           |
| 9-                                   |         |         |         |           |           |
| Total \$                             | 0       | 926,954 | 926,954 | 1,840,108 | 1,840,108 |

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

III. C - Operating FTE Detail: List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

| Job Classification                    | Salary | FY 2024 | FY 2025 | 2023-25 | 2025-27 | 2027-29 |
|---------------------------------------|--------|---------|---------|---------|---------|---------|
| Case/Resource Manager                 | 65,748 |         | 1.0     | 0.5     | 1.0     | 1.0     |
| Health & Safety Committee Coordinator | 37,740 |         | 0.5     | 0.3     | 0.5     | 0.5     |
| Hearing Advisors                      | 40,000 |         | 0.5     | 0.3     | 0.5     | 0.5     |
| Hearing Board Officers                | 60,000 |         | 0.5     | 0.3     | 0.5     | 0.5     |
| Hearing Board Panelists               | 40,000 |         | 0.5     | 0.3     | 0.5     | 0.5     |
| Hearings Admin Support                | 57,000 |         | 0.5     | 0.3     | 0.5     | 0.5     |
| Institution Counselor I               | 50,088 |         | 2.0     | 1.0     | 2.0     | 2.0     |
| Investigator 3 Range 60, Step F       | 74,376 |         | 1.0     | 0.5     | 1.0     | 1.0     |
| Prevention Education Staff            | 50,000 |         | 1.0     | 0.5     | 1.0     | 1.0     |
| Professional Confidential Advocates   | 45,000 |         | 2.0     | 1.0     | 2.0     | 2.0     |
| Student Conduct Officer               | 74,250 |         | 1.0     | 0.5     | 1.0     | 1.0     |
| Training Coordinator                  | 65,000 |         | 2.0     | 1.0     | 2.0     | 2.0     |
| Total FTEs                            |        |         | 12.5    | 6.3     | 12.5    | 12.5    |

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

RE: HB 2242 sexual assault survivors  
P/B: T. Davenport, WWU SMB 01.16.2024

| Salary         | FTE          | Extension      | 33%<br>Benefits | Subtotal       | Position   |
|----------------|--------------|----------------|-----------------|----------------|--|
| 65,748         | 1.00         | 65,748         | 21,697          | 87,445         | Case/Resource Manager                                |
| 37,740         | 0.50         | 18,870         | 6,227           | 25,097         | Health & Safety Committee Coordinator                |
| 50,088         | 2.00         | 100,176        | 33,058          | 133,234        | Institution Counselor 1                              |
| 74,376         | 1.00         | 74,376         | 24,544          | 98,920         | Investigator 3                                       |
| 50,000         | 1.00         | 50,000         | 16,500          | 66,500         | Prevention Education Staff                           |
| 45,000         | 2.00         | 90,000         | 29,700          | 119,700        | Professional Confidential Advocates                  |
| 65,000         | 2.00         | 130,000        | 42,900          | 172,900        | Training Coordinator                                 |
| 74,250         | 1.00         | 74,250         | 24,503          | 98,753         | Student Conduct Officer                              |
| 57,000         | 0.50         | 28,500         | 9,405           | 37,905         | Hearings Admin Support                               |
| 60,000         | 0.50         | 30,000         | none            | 30,000         | Hearing Board Officers (existing staff or contract)  |
| 40,000         | 0.50         | 20,000         | none            | 20,000         | Hearing Board Panelists (existing staff or contract) |
| 40,000         | 0.50         | 20,000         | none            | 20,000         | Hearing Advisors (existing staff or contract)        |
| <b>659,202</b> | <b>12.50</b> | <b>701,920</b> | <b>208,534</b>  | <b>910,454</b> |  |

Add: tracking software application with implementation costs

|                            |               |
|----------------------------|---------------|
| Implementation:            | 6,900         |
| Licensing (annual renewal) | 9,600         |
|                            | <b>16,500</b> |

Fiscal Year Totals

|           |         |
|-----------|---------|
| Yr 1      | 926,954 |
| Out years | 920,054 |

24/7 transportation costs:

We will assume UPD will provide dispatch and transport for the victim and optional advocate (victim's choice)



RE: HB 2242 sexual assault survivors  
P/B: T. Davenport, WWU SMB 01.16.2024

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| 74,376         | 1.00         | 74,376         | 24,544          | 98,920         | Investigator 3                                       |
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| 57,000         | 0.50         | 28,500         | 9,405           | 37,905         | Hearings Admin Support                               |
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| 40,000         | 0.50         | 20,000         | none            | 20,000         | Hearing Advisors (existing staff or contract)        |
| <b>659,202</b> | <b>12.50</b> | <b>701,920</b> | <b>208,534</b>  | <b>910,454</b> |  |

Add: tracking software application with implementation costs

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Fiscal Year Totals

|           |         |
|-----------|---------|
| Yr 1      | 926,954 |
| Out years | 920,054 |

24/7 transportation costs:

Regarding Sec. 2f which requires 24/7 transportation for victims (and their advocates) for SANE or forensic medical services, there are concerns with using our university police department for providing transportation services. From a logistical perspective, there could be substantial indeterminate costs associated with providing 24/7 transportation

RE: HB 2242 sexual assault survivors  
P/B: T. Davenport, WWU SMB 01.16.2024

| Salary         | FTE          | Extension      | 33%<br>Benefits | Subtotal       | Position   |
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| 65,748         | 1.00         | 65,748         | 21,697          | 87,445         | Case/Resource Manager                                |
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| 74,376         | 1.00         | 74,376         | 24,544          | 98,920         | Investigator 3                                       |
| 50,000         | 1.00         | 50,000         | 16,500          | 66,500         | Prevention Education Staff                           |
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| 40,000         | 0.50         | 20,000         | none            | 20,000         | Hearing Advisors (existing staff or contract)        |
| <b>659,202</b> | <b>12.50</b> | <b>701,920</b> | <b>208,534</b>  | <b>910,454</b> |  |

Add: tracking software application with implementation costs

|                            |               |
|----------------------------|---------------|
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|                            | <b>16,500</b> |

Fiscal Year Totals

|           |         |
|-----------|---------|
| Yr 1      | 926,954 |
| Out years | 920,054 |

24/7 transportation costs:

Regarding Sec. 2f which requires 24/7 transportation for victims (and their advocates) for SANE or forensic medical services, there are concerns with using our university police department for providing transportation services. From a logistical perspective, there could be substantial indeterminate costs associated with providing 24/7 transportation services. Clarification of the intent of this section is needed.