

Multiple Agency Fiscal Note Summary

Bill Number: 2242 HB	Title: Sexual assault/higher ed.
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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	55.4	10,029,850	10,029,850	10,029,850	110.8	18,495,700	18,495,700	18,495,700	110.1	18,495,700	18,495,700	18,495,700
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	4.5	862,413	862,413	862,413	9.0	1,658,283	1,658,283	1,658,283	9.0	1,732,469	1,732,469	1,732,469
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	51.0	10,528,000	10,528,000	10,528,000	102.0	20,606,000	20,606,000	20,606,000	102.0	20,606,000	20,606,000	20,606,000
Total \$	153.5	31,135,143	31,135,143	31,135,143	300.9	58,535,943	58,535,943	58,535,943	300.2	58,660,129	58,660,129	58,660,129

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	.0	0	0	.0	0	0	.0	0	0
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	.0	0	0	.0	0	0	.0	0	0
Western Washington University	.0	0	0	.0	0	0	.0	0	0
Community and Technical College System	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Estimated Capital Budget Breakout

NONE

Prepared by: Ramona Nabors, OFM	Phone: (360) 742-8948	Date Published: Final 1/26/2024
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Individual State Agency Fiscal Note

Bill Number: 2242 HB	Title: Sexual assault/higher ed.	Agency: 360-University of Washington
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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
Account					
General Fund-State 001-1	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

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.

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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

Bill Number: 2242 HB	Title: Sexual assault/higher ed.	Agency: 365-Washington State University
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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	110.8	55.4	110.8	110.1
Account					
General Fund-State 001-1	0	10,029,850	10,029,850	18,495,700	18,495,700
Total \$	0	10,029,850	10,029,850	18,495,700	18,495,700

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: Anne-Lise Brooks	Phone: 509-335-8815	Date: 01/24/2024
Agency Approval: Chris Jones	Phone: 509-335-9682	Date: 01/24/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 01/26/2024

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.

HB 2242 relates to supporting sexual assault survivors at institutions of higher education.

Section 2 grants additional rights to students at Washington institutions of higher education who are survivors of sexual assault, sexual harassment, and gender-based violence. These include the rights: to engage with staff who have been trained in trauma-informed care; a quick and timely institutional investigation process not to exceed six months; in-person or live electronic education on reporting sexual assault, sexual harassment, and gender-based violence at institutions of higher education and available resources; protection from legal retaliation; mental health or counseling services; access to support services; academic accommodations to prevent academic harm; have court-issued no-contact and restraining orders honored and reported to university police and security services; be made aware by an employee if the employee is a Title IX mandatory reporter and to whom the employee reports.

Section 3 requires public institutions of higher education that serve 8,000 students or more to establish a student health and safety committee that evaluates barriers that impact survivors of sexual assault, sexual harassment, and gender-based violence.

Section 4 requires that beginning in the fall 2025 academic term, institutions of higher education shall provide at least three hours of education on the Title IX reporting process for sexual assault, sexual harassment, and gender-based violence, accessing support services, consent, and the availability and role of confidential advocates. The education must be provided to all students and any staff of the institution who may interact with a survivor of sexual assault, sexual harassment, or gender-based violence.

Section 5 requires that the Title IX process may not exceed 180 business days from the date a report is made unless extenuating circumstances exist. This section also defines the required timeline for the process.

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.

Assumptions

WSU’s costs are driven by two main factors: The volume of new activity prescribed in the bill and the number of locations for which this new activity is required. If the bill is further limited to the primary residential campus, WSU’s fiscal note would be significantly lower.

Fiscal costs are based on the following assumptions.

- 1. The bill is intended to be applied to “main” campuses. WSU has assumed this includes WSU-Pullman, WSU-Vancouver, WSU-Tri-Cities, WSU-Spokane, and WSU-Everett. WSU assumes the bill excludes the Global Campus, satellite locations in Bremerton and Yakima, and multiple WSU Research and Extension sites across the state.
- 2. The bill identifies both confidential and peer advocates. WSU has assumed that both peer and confidential advocates need to be available to students 24/7 for the campuses included in the assumption above.

Overview of Expenditures and FTE

Training Expenditures

Training requirements are listed in multiple sections including:

1. Section 2(1)(a) requires identified staff to receive specific competency-based training for all who interact with students in the disclosure process,
2. Section 4 requires, beginning fall 2025 academic term, three hours of education at the beginning of each academic term and additional trainings throughout the academic year, and for such education to be provided to all students and any staff of the institution who may interact with a student survivor,
3. Section (2)(1)(c) requires in-person or live interactive electronic education on reporting and resources for students at the beginning of each academic term, and
4. Section (2)(1)(f) requires peer advocates to receive and be paid for 40 hours of basic advocacy training provided by the institution.

WSU provides ongoing training to Title IX personnel, including training required under Title IX Regulations. However, the scope or focus of that training is dependent on specific roles. Additionally, WSU provides numerous on-demand online modules, trainings at request, and scheduled trainings to employees and students. However, although the WSU employee one hour ‘discrimination and harassment prevention’ training is required annually for all employees (and available through an online module), WSU does not currently require all students to receive training commensurate with the bill requirements. WSU’s training modules and live trainings are available to students, but not mandatory for all students.

To gain compliance with the bill, WSU would need to hire five trainer/coordinators (annual salary \$75,000) to provide in-person or electronic training on each campus for students and staff focused on reporting, resources, confidential advocates, and gender-based violence dynamics, as well as providing trauma informed training to university personnel. In order to ensure live training opportunities, the five trainer/coordinators would ensure mandatory training is available to all student and employee populations replacing existing on-line modules. Further, WSU requires \$10,000 yearly to purchase training materials/handouts/communication tools for students and/or to host speakers (including sexual assault survivors), and \$20,000 yearly to purchase and/or host advocacy trainings from professional agencies.

Timely Grievance Process

Section 2(1)(b) and Section 5 require a quick and timely investigative process not to exceed six months from the date an investigation is initiated and have identified specific timelines for stages of that process.

In order to improve timely services to student survivors, WSU requires several dedicated FTEs:

1. One Hearing Board officer (annual salary \$90,000) and one Conduct Officer (annual salary \$75,000): WSU is currently reliant on our partnership with the Office of Administrative Hearing for scheduling hearings and responding to requests from parties to delay proceedings. WSU anticipates an internal, dedicated hearing board officer would result in more control over a timely hearing processes. The WSU Center for Community standards oversees the conduct process for the entire WSU campus system. Further, the addition of another conduct officer will allow for more timely resolution on cases that do not require a full conduct board.
2. Two Investigators (annual salary \$75,000) to augment existing four investigators who investigate all student and employee complaints.
3. One Conduct Advisor (annual salary \$75,000) to augment existing conduct advisor already required under Title IX to increase student access to a well-trained advisor throughout the hearing process.
4. 1.25 supervisory dedicated FTE/salary for increases in administrative responsibilities to supervise additional FTE and/or FTE for multiple supervisors overseeing conduct advisors, investigative staff, and conduct officers.

Mental Health or Counseling Services

Section 2(1)(e) requires ensuring students have access to no less than six visits with the same mental health provider.

WSU provides counseling services at many locations where students are present throughout the WSU system, but not all. Where services are provided, the services differ based on campus size and resources.

Under federal law, equity is required for both complainants and respondents. To comply with the bill, WSU requires two new counselors (annual salary \$92,000) at each campus location (10 total). Further, WSU requires an additional yearly cost of approximately \$25,000 to support healthcare administration, software, new staff IT equipment, and privacy support.

Advocates

Section 2(1)(f) requires access to peer advocates, confidential advocates, and gender based violence support groups, as well as 24/7 transportation services with the survivor's choice of being accompanied by a confidential or peer advocate. WSU does not currently have confidential advocates. WSU regularly facilitates meetings for students with local victim advocacy agencies and provides office space for Alternatives to Violence of the Palouse on the WSU-Pullman campus. Under federal law, equity is required for both complainants and defendants.

Because WSU does not have confidential advocacy services, WSU would need to build out a new department for peer advocates and confidential employee advocates. WSU has identified the following FTEs and costs to support a new advocacy program:

1. One FTE Director (annual salary \$90,000) for system confidential advocate services
2. 40 FTE confidential advocate positions (annual salary \$70,000) to provide 24/7 day, swing, and night shift services. This would provide each of the five campuses with two confidential advocates per shift for seven days a week. This includes personnel to drive survivors to local medical providers.
3. Five FTE Peer advocate coordinators (annual salary \$70,000) (one at each of five campus locations) responsible for recruitment, training, and managing peer advocate programs.
4. 40 FTE peer advocate student employees (annual salary \$26,000) to provide 24/7 day, swing, and night shift services (based on having two peer advocates available each shift) at each of five campuses, including personnel to drive survivors to local medical providers.
5. 1.25 FTE for Gender-Based Violence Support Group (annual salary \$92,000) which includes 0.25 FTE on each campus to facilitate support groups for various types of gender-based violence.
6. WSU anticipates having advocates operate vehicles, as needed to shuttle survivors to medical facilities. The procurement of wheelchair accessible vans will help ensure compliance with this bill and with the Americans with Disabilities Act. Because WSU does not currently have a transportation system to support the requirements in this bill, WSU reviewed online sources which noted wheelchair accessible vans are \$130,000-\$235,000. WSU used a mid-point value of \$183,000 for a wheelchair accessible van for each of the five campuses. An initial budget is included in the fiscal note, and additional costs are distributed in following years to ensure budget is available to purchase new vehicles when the prior vehicles fail. Further, WSU requires \$100,000 additional costs annually for maintenance, parking, snow tires, insurance, and gas, as well as emergency services, as needed, for the fleet of five vehicles.
7. WSU expects a one-time expense of \$100,000 (for each of five campuses) to set up confidential advocacy FTE office locations and allocation of furniture, computers, software, and victim support group spaces.
8. To comply with this bill, WSU requires an annual yearly budget of \$60,000 (for each of five campuses) for goods and services, student incentives and programming, and office inventory needs.

Accommodations

Section 2(1)(g) requires that a confidential advocate must be available to a survivor to assist with accommodations requests, and that such accommodations should be available whether or not a formal report is made.

WSU does not have confidential advocates currently. WSU's Title IX staff arrange accommodations for students and staff who have discrimination concerns; participation in a formal grievance procedure is not required to receive accommodations

WSU has outlined costs for confidential advocates in the previous section, to ensure students who prefer to engage confidentially have access to accommodation services. WSU further identifies a need for a one FTE Case Manager position (annual salary \$70,000) to ensure support is more broadly provided and readily available to those who choose to participate in campus grievance processes, to assist with technical support for accommodations system-wide, and to facilitate training on accommodation requirements and responsibilities to campus faculty (in particular as it relates to intellectual property concerns held by faculty in opposition to recorded lectures).

Student Health and Safety Committee

Section 3 requires the establishment of a student health and safety committee that involves representatives from various campus groups to examine and evaluate barriers that impact survivors, make recommendations to better processes, and annually report to the state legislature.

WSU currently has a number of committees that work on student safety and sexual assault issues, but their focus is not as described in this section. WSU facilitates: (1) a Student Feedback Committee to request yearly feedback on processes from students, (2) a Case Collaboration meeting between Title IX staff, conduct staff, and student care case managers to consider options to best support students, and (3) a victim advocacy agency led coordinated community response team to ensure university staff, victim advocates, district attorneys, hospital personnel, and police can consider challenges/barriers to victims in the Pullman, WA, community. WSU further convenes committees which includes employee and student representatives each time changes are proposed to university policy impacting sexual assault survivors.

To comply with the bill, WSU requires adding 1.25 FTE Coordinator (\$75,000) positions (0.25 FTE for each of the five campus locations) to facilitate committees, evaluate information, and draft/submit annual reports to the state Legislature.

Online Status Tool

Section 5(3) requires institutions to provide students with access to an online tool to track the process of their investigation.

WSU does not provide access to an online case tracking tool, but informs students in their intakes that their department representative (investigator or conduct advisor) will provide them with updates via email or phone, based on the students' preferences (e.g. some students ask for weekly updates, whereas some students ask to only be informed at critical stages to they can focus on their academics).

WSU requires a one-time set-up fee of \$50,000 and yearly software license of \$125,000, which is the mid-point based on quotes from two reputable services. The software costs cover all five campuses included in this fiscal note.

Additional Costs

WSU requires an additional \$60,000 per year to cover travel and professional development opportunities for the high number of FTEs identified (covers 23.5 FTEs with approximately \$2550/year each).

WSU also requires yearly \$117,500 budget to cover IT cost (hardware/software), and additional administrative costs for the numerous new FTEs (outside of the advocacy center, which is already accounted for in the previous section). This works out to approximately \$5,000 per each of 23.5 new employees (outside of the advocacy center whose costs are described in a previous section)

No Cost Provisions

WSU anticipates not incurring costs for the below items:

1. Section 2(1)(d) requires protection from legal retaliation. WSU already prohibits retaliation.
2. Section 2(1)(h) requires universities to honor no-contact and restraining orders and have such orders reported to university police and security services. WSU already engages in this process.

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	10,029,850	10,029,850	18,495,700	18,495,700
Total \$			0	10,029,850	10,029,850	18,495,700	18,495,700

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		110.8	55.4	110.8	110.1
A-Salaries and Wages		6,368,750	6,368,750	12,737,500	12,737,500
B-Employee Benefits		1,898,600	1,898,600	3,797,200	3,797,200
C-Professional Service Contracts					
E-Goods and Other Services		1,702,500	1,702,500	1,841,000	1,841,000
G-Travel		60,000	60,000	120,000	120,000
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	10,029,850	10,029,850	18,495,700	18,495,700

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 Manager	70,000		1.0	0.5	1.0	1.0
Committee Coordinator	75,000		1.3	0.6	1.3	1.3
Conduct Advisor	75,000		1.0	0.5	1.0	1.0
Conduct Officer	75,000		1.0	0.5	1.0	1.0
Confidential Advocate	70,000		40.0	20.0	40.0	40.0
Director - Advocacy Center	90,000		1.0	0.5	1.0	1.0
Gender Based Violence Support	92,000		1.3	0.6	1.3	0.6
Hearing Officer	90,000		1.0	0.5	1.0	1.0
Investigator	75,000		2.0	1.0	2.0	2.0
Mental Health Counselor	92,000		10.0	5.0	10.0	10.0
Peer Advocate Coordinator	70,000		5.0	2.5	5.0	5.0
Peer Advocate Student Employees	26,000		40.0	20.0	40.0	40.0
Supervisor	100,000		1.3	0.6	1.3	1.3
Trainer	75,000		5.0	2.5	5.0	5.0
Total FTEs			110.8	55.4	110.8	110.1

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

Bill Number: 2242 HB	Title: Sexual assault/higher ed.	Agency: 370-Eastern Washington University
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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
Account					
General Fund-State 001-1	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

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

Bill Number: 2242 HB	Title: Sexual assault/higher ed.	Agency: 375-Central Washington University
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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
Account					
General Fund-State 001-1	0	705,807	705,807	1,411,614	1,411,614
Total \$	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 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

Revised

Bill Number: 2242 HB	Title: Sexual assault/higher ed.	Agency: 376-The Evergreen State College
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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	9.0	4.5	9.0	9.0
Account					
General Fund-State 001-1	0	862,413	862,413	1,658,283	1,732,469
Total \$	0	862,413	862,413	1,658,283	1,732,469

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: Lisa Dawn-Fisher	Phone: 512-658-0328	Date: 01/19/2024
Agency Approval: Lisa Dawn-Fisher	Phone: 512-658-0328	Date: 01/19/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 01/22/2024

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.

HB 2242 relates to supporting sexual assault survivors at institutions of higher education.

Section 2.1 states that students who are survivors of sexual assault, sexual harassment, and gender based violence have a right to:

Section 2.1(a) engage with staff who have been trained in trauma-informed care. These staff must be listed on the institutional website in any easily accessible place. Title IX staff must receive at least three hours of training provided by the institution of higher education.

Section 2.1(b) a quick and timely institutional investigation process not to exceed six months;

Section 2.1(c) in person or live electronic education for reporting sexual assault. Education must be provided at the beginning of each academic term.

Section 2.1(d) protection from retaliation for reporting sexual assault, sexual harassment or gender-based violence. Institutions must also have a policy against legal retaliation for reporting.

Section 2.1(e) mental health or counseling services, regardless of whether a student decides to file a formal complaint. The institution shall make a good faith effort to provide access to no less than six visits with the same provider.

Section 2.1(f) access to support services, including a confidential advocate who must be made available within two days; 24/7 access to transportation services to 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 trained in trauma informed care. Peer advocates must be trained in trauma-informed care and have 40 hours of basic advocacy training provided by the institution

Section 2.1(g) academic accommodations to prevent academic harm;

Section 2.1(h) have court-issued restraining orders honored and reported to university police.

Section 2.1(i) be made aware by an employee if that employee is a Title IX mandatory reporter and to whom the employee reports.

Section 4.1 states that each institution shall provide at least three hours of education on the Title IX reporting process. This training will be available throughout the year and shall be available throughout the academic year. Institutions will make a good faith effort to include perspectives from sexual assault survivors.

Section 4.2 states that the training required in section 4.1 shall be provided to all students and any staff who may interact with a survivor of sexual assault, sexual harassment or gender-based violence.

Section 5.1 states that the Title IX process may not exceed 180 days from the date a report is made. The timeline for each step of the process is as follows:

Section 5.1(a) A student must receive information on available resources within two business days of making a report;

Section 5.1(b) The initial assessment must be completed within 10 business days;

Section 5.1(c) must be completed within 120 days; this includes the final decision and subsequent hearings;

Section 5.1(d) if a sanction is issued it must be determined and administered within ten business days of the final decision.

Section 5.3 states that students must be kept informed of the status of the process throughout the process. Institutions shall provide an online tool for students to track the process of their investigation.

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

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.

A total of six regular exempt FTEs would be added, including 1- Civil Rights/Title IX Investigator (Range 9, step 17), 2 - Support Advisors (Range 6, step 16), 1 - Prevention Educator (Range 6, step 16), 1 - Mental Health Counselor (Range 9, step 16), and 1 - Confidential Advocate (Range 9, step 20). In addition, six student peer advocates would be employed at minimum wage for 20/hours per week. All wages are anticipated to grow 3% per year and benefits grow accordingly.

A professional service contracts are anticipated as follows:

- 1. Annual subscription for training Title IX staff = \$45,000
- 2. Annual subscription for trauma-informed training = \$25,000
- 3. Case management software = The initial cost to set up is estimated at \$37,500 in FY 2025 and ongoing maintenance costs are estimated at \$18,750 in subsequent years.

Goods and services include materials and supplies needed for staff, faculty, and student trainings and one-time recruitment costs. Set up costs for each new FTE are estimated at \$12,000/FTE in the first year (includes computer and software licensing) with ongoing costs of \$6,000 for goods and services per FTE.

Transportation is estimated at \$240/year based on 10 trips by taxi at \$24/trip. The cost of an advocate to accompany the student is included in the salary and benefits costs.

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	862,413	862,413	1,658,283	1,732,469
Total \$			0	862,413	862,413	1,658,283	1,732,469

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		9.0	4.5	9.0	9.0
A-Salaries and Wages		508,535	508,535	1,063,296	1,128,051
B-Employee Benefits		159,238	159,238	325,207	334,638
C-Professional Service Contracts		37,500	37,500	37,500	37,500
E-Goods and Other Services		156,900	156,900	231,800	231,800
G-Travel		240	240	480	480
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	862,413	862,413	1,658,283	1,732,469

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
Civil Rights/Title IX Investigator	76,385		1.0	0.5	1.0	1.0
Confidential Advocate	79,005		1.0	0.5	1.0	1.0
Mental Health Counselor	76,385		1.0	0.5	1.0	1.0
Peer advocate	104,635		3.0	1.5	3.0	3.0
Prevention Educator	57,375		1.0	0.5	1.0	1.0
Support Advisor	57,375		2.0	1.0	2.0	2.0
Total FTEs			9.0	4.5	9.0	9.0

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

Bill Number: 2242 HB	Title: Sexual assault/higher ed.	Agency: 380-Western Washington University
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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
Account					
General Fund-State 001-1	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.

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% 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)
659,202	12.50	701,920	208,534	910,454	

Add: tracking software application with implementation costs

Implementation:	6,900
Licensing (annual renewal)	9,600
	16,500

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

Salary	FTE	Extension	33% 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)
659,202	12.50	701,920	208,534	910,454	

Add: tracking software application with implementation costs

Implementation:	6,900
Licensing (annual renewal)	9,600
	16,500

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% 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)
659,202	12.50	701,920	208,534	910,454	

Add: tracking software application with implementation costs

Implementation:	6,900
Licensing (annual renewal)	9,600
	16,500

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.

Individual State Agency Fiscal Note

Bill Number: 2242 HB	Title: Sexual assault/higher ed.	Agency: 699-Community and Technica College System
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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	102.0	51.0	102.0	102.0
Account					
General Fund-State 001-1	0	10,528,000	10,528,000	20,606,000	20,606,000
Total \$	0	10,528,000	10,528,000	20,606,000	20,606,000

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: Brian Myhre	Phone: 360-704-4413	Date: 01/24/2024
Agency Approval: Stephanie Winner	Phone: 360-704-1023	Date: 01/24/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 01/26/2024

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.

This bill would implement policies to support victims of sexual assault, sexual harassment and gender-based violence.

SECTION 2 – SUPPORTING SURVIVORS OF SEXUAL ASSAULT, HARASSMENT and GENDER VIOLENCE

Students at Institutions of Higher Education who are survivors of sexual assault, sexual harassment or gender-based violence have the right to:

- Engage with staff who have been trained in trauma-informed care throughout the entirety of the disclosing process.
- A quick and timely institutional investigation process not to exceed six months from the date an investigation is initiated.
- In-person or live electronic education on reporting sexual assault, sexual harassment, and gender-based violence at institutions of higher education and available resources, including confidential advocates, for students who have experienced sexual assault, sexual harassment, and gender-based violence on campus. Education must be provided at the beginning of each academic term.
- Protection from legal retaliation for reporting sexual assault, sexual harassment, and gender-based violence on campus.
- Mental health or counseling services, on campus or off-site
- Access to support services, including peer advocates, confidential advocates, and gender-based violence support groups.
- Academic accommodations to prevent academic harm including attending class through alternate means
- Have court-issued no-contact and restraining orders honored and reported to security services by a trained staff person such as a confidential advocate.
- Be made aware by an employee if the employee is a Title IX mandatory reporter and to whom the employee reports.

SECTION 3 – STUDENT HEALTH AND SAFETY COMMITTEE

Public Institutions of Higher Education that serve 8,000 students or more are directed to establish a Student Health and Safety Committee that includes representatives from various groups, such as admissions, counseling, health care, student advocates, and professors. The Committees are directed to evaluate barriers that impact survivors of sexual assault, sexual harassment, and gender-based violence and their ability to access services and obtain accommodations at institutions of higher education. The Committees are required to annually report their recommendations to the Legislature.

SECTION 4 – STUDENT and STAFF EDUCATION

Beginning in the 2025 fall academic term, each Institution of Higher Education shall provide at least three hours of education on the Title IX reporting process for sexual assault, sexual harassment, and gender-based violence, accessing support services, consent, and the availability and role of confidential advocates. The education is to be provided either in person or electronically at the beginning of each academic term to all students and any staff who may interact with a survivor of sexual assault, sexual harassment, or gender-based violence. Additionally, institutions shall ensure that the education is made available throughout the academic year.

SECTION 5 – TITLE IX INVESTIGATION PROCESS and TIMELINES

The Title IX process may not exceed 180 business days from the date a report is made unless extenuating circumstances exist.

A student must receive information on available resources, including information on the Title IX process, counseling services, and confidential advocates, within two business days of making a report;

The initial assessment must be completed within 10 business days, including whether the investigation will proceed under Title IX or the institution of higher education's internal process;

The investigation must be completed within 120 business days of the initial report or disclosure. This process includes the final decision and subsequent hearings;

If a sanction is issued it must be determined and administered within 10 business days of the final decision.

If the process will take longer than 180 business days due to extenuating circumstances, the institution of higher education shall provide a written explanation to the student including the reason for the delay and when the process is expected to be completed.

Students must be kept informed on the status of the process throughout the entirety of the Title IX process. Institutions of higher education shall provide an online tool for students to track the process of their investigation.

SECTION 6

The provisions of the bill apply only to main campus locations.

SECTION 7

"Institutions of Higher Education" includes community colleges and technical colleges.

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.

No cash receipts impact.

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 bill would have the following expenditure impact.

SECTION 2 – SUPPORTING SURVIVORS OF SEXUAL ASSAULT, HARASSMENT and GENDER VIOLENCE

Under provisions of the bill, students at Institutions of Higher Education who are survivors of sexual assault, sexual harassment or gender-based violence would have certain rights, including:

- Engage with staff who have been trained in trauma-informed care throughout the entirety of the disclosing process.
- A quick and timely institutional investigation process not to exceed six months from the date an investigation is initiated.
- In-person or live electronic education on reporting sexual assault, sexual harassment, and gender-based violence at institutions of higher education and available resources, including confidential advocates, for students who have experienced sexual assault, sexual harassment, and gender-based violence on campus. Education must be provided at the beginning of each academic term.
- Protection from legal retaliation for reporting sexual assault, sexual harassment, and gender-based violence on campus.
- Mental health or counseling services, on campus or off-site.
- Access to support services, including peer advocates, confidential advocates, and gender-based violence support groups.
- Academic accommodations to prevent academic harm including attending class through alternate means.
- Be made aware by an employee if the employee is a Title IX mandatory reporter and to whom the employee reports.

Additional staff would be needed to provide the support listed above. It is estimated that, on average, 1 FTE Mental Health Counselor and 1 FTE Peer Advocate per college will be needed.

34 colleges X \$124,000 (Mental Health Counselor salary & benefits) = \$4,216,000

34 colleges X \$ 61,000 (Peer Advocate salary & benefits) = \$2,074,000

\$4,216,000 + \$2,074,000 = \$6,290,000 FY25 onward

SECTION 3 – STUDENT HEALTH AND SAFETY COMMITTEE

Public Institutions of Higher Education that serve 8,000 students or more are directed to establish a Student Health and Safety Committee that includes representatives from various groups, such as admissions, counseling, health care, student advocates, and professors. It is expected this work can be performed within existing duties.

SECTION 4 – STUDENT and STAFF EDUCATION

Beginning in the 2025 fall academic term, each Institution of Higher Education is to provide at least three hours of education on the Title IX reporting process for sexual assault, sexual harassment, and gender-based violence, accessing support services, consent, and the availability and role of confidential advocates. The education is to be provided either in person or electronically at the beginning of each academic term to all students and any staff who may interact with a survivor of sexual assault, sexual harassment, or gender-based violence. The education should also be available throughout the academic year.

It is assumed that fulfilling the education requirements in section 4 would also fulfill the education requirements in section 2. Since the education is to be available throughout the year, it is also assumed it would be an online educational course.

Based on training modules offered to students and employees for other training, it is estimated that costs would be \$6,000 per college.

Total cost for the community and technical college system would be:

FY23 - \$6,000 X 34 = \$204,000 FY25 onward

SECTION 5 – TITLE IX INVESTIGATION PROCESS and TIMELINES

This section specifies the process and timelines for Title IX investigations. Timelines are specified for providing status information to the victim, completing the initial assessment, completing the investigation, and administering any sanctions. This would require additional staff to stay within the investigation, hearing and sanctioning process timelines. This work is estimated to require an average of 1 FTE Investigator 3 per college.

34 colleges X \$104,000 (1 FTE Investigator 3 salary and benefits) = \$3,534,000 (rounded) FY25 onward

Colleges would also need case management software for Title IX case timeline tracking and to offer an online portal for students to check the status of their case. For the purposes of this fiscal note, it is assumed that system-wide software will be purchased from a vendor. First year costs to acquire software would involve soliciting requests for proposals, reviewing proposals, selecting the software, installation, and training. These costs are estimated to be \$500,000 for the system in FY 2025. Ongoing costs would be for software licenses and maintenance and estimated to be 275,000 in FY 2026 onward.

TOTAL COSTS

\$6,290,000 (Support) + \$204,000 (Education) + \$3,534,000 (Investigations) + \$500,000 (software) = \$10,528,000 FY25

\$6,290,000 (Support) + \$204,000 (Education) + \$3,534,000 (Investigations) + \$275,000 (software) = \$10,303,000 FY26 onward

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	10,528,000	10,528,000	20,606,000	20,606,000
Total \$			0	10,528,000	10,528,000	20,606,000	20,606,000

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		102.0	51.0	102.0	102.0
A-Salaries and Wages		7,277,000	7,277,000	14,554,000	14,554,000
B-Employee Benefits		2,547,000	2,547,000	5,094,000	5,094,000
C-Professional Service Contracts		500,000	500,000	550,000	550,000
E-Goods and Other Services		204,000	204,000	408,000	408,000
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 \$	0	10,528,000	10,528,000	20,606,000	20,606,000

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
Mental Health Counselor	92,000		34.0	17.0	34.0	34.0
Peer Advocate	45,000		34.0	17.0	34.0	34.0
Title IX Investigator	77,000		34.0	17.0	34.0	34.0
Total FTEs			102.0	51.0	102.0	102.0

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.