

Multiple Agency Fiscal Note Summary

Bill Number: 1522 2S HB	Title: Sexual misconduct/assoc.
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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
Student Achievement Council	.1	34,000	34,000	34,000	.0	0	0	0	.0	0	0	0
University of Washington	.3	59,096	59,096	59,096	.2	38,956	38,956	38,956	.2	38,956	38,956	38,956
Washington State University	.0	0	0	0	.0	0	0	0	.0	0	0	0
Eastern Washington University	.5	85,000	85,000	85,000	.5	80,000	80,000	80,000	.5	80,000	80,000	80,000
Central Washington University	.0	0	0	0	.0	0	0	0	.0	0	0	0
The Evergreen State College	.0	0	0	0	.0	0	0	0	.0	0	0	0
Western Washington University	.5	74,000	74,000	74,000	.5	74,000	74,000	74,000	.5	74,000	74,000	74,000
Community and Technical College System	.0	0	0	0	.0	0	0	0	.0	0	0	0
Total \$	1.4	252,096	252,096	252,096	1.2	192,956	192,956	192,956	1.2	192,956	192,956	192,956

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Student Achievement Council	.0	0	0	.0	0	0	.0	0	0
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 3/13/2023
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Individual State Agency Fiscal Note

Bill Number: 1522 2S HB	Title: Sexual misconduct/assoc.	Agency: 340-Student Achievement Council
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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	0.1	0.1	0.1	0.0	0.0
Account					
General Fund-State 001-1	17,000	17,000	34,000	0	0
Total \$	17,000	17,000	34,000	0	0

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: Kate Henry	Phone: 360-786-7349	Date: 02/27/2023
Agency Preparation: Ami Magisos	Phone: 360-753-7823	Date: 02/28/2023
Agency Approval: Brian Richardson	Phone: 360-485-1124	Date: 02/28/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 03/13/2023

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.

The second substitute bill makes minor changes from the first substitute bill and the differences create no additional impact to the Washington Student Achievement Council (WSAC).

This act will expand the current requirement for postsecondary institutions to request of applicants any documentation of substantiated sexual misconduct findings or investigations at previous employment to also include any substantiated findings or investigations generated by scholarly associations.

Section 3 (10) requires the Student Achievement Council to convene a work group regarding the ability of institutions of higher education (IHEs) to consider if applicants or current employees have committed sexual misconduct at meetings or conferences of associations, and how IHEs and Washington agencies may encourage adoption of policies and procedures regarding sexual misconduct committed at such events. WSAC is also required to report to the legislature on findings by November 30, 2024.

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.

Section 3 (10) directs WSAC to convene a work group to examine the ability of Institutions of higher education (IHEs) to consider if applicants or current employees have committed sexual misconduct at meetings or conference of professional or scholarly associations. The work group will also examine how IHEs and Washington agencies may encourage adoption of policies and procedures regarding sexual misconduct committed at such events. WSAC would be responsible for generating a report on the findings of the work group by November 30, 2024.

For the work group, WSAC responsibilities would include identification of work group members and subject matter experts, planning and coordination for work group convenings, preparation and presentation of data and research, and facilitation of discussion and generation or recommendations. Some travel may be required for work group convenings, which are estimated at four meetings during FY2024 and two meetings in FY2025. WSAC Responsibilities would also include generation of a legislative report representing the work group findings and recommendations.

This work would require 0.1 FTE Assistant Director in FY2024 and FY2025 costing \$17,000 annually.

Staff time estimates are rounded to the nearest 0.1 FTE and staff-related and other costs are rounded to the nearest \$1,000.

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	17,000	17,000	34,000	0	0
Total \$			17,000	17,000	34,000	0	0

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.1	0.1	0.1		
A-Salaries and Wages	9,000	9,000	18,000		
B-Employee Benefits	2,000	2,000	4,000		
C-Professional Service Contracts					
E-Goods and Other Services	5,000	5,000	10,000		
G-Travel	1,000	1,000	2,000		
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 \$	17,000	17,000	34,000	0	0

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	87,000	0.1	0.1	0.1		
Total FTEs		0.1	0.1	0.1		0.0

III. D - Expenditures By Program (optional)

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Policy Coordination & Administration (010)	17,000	17,000	34,000		
Total \$	17,000	17,000	34,000		

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: 1522 2S HB	Title: Sexual misconduct/assoc.	Agency: 360-University of Washington
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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	0.3	0.2	0.3	0.2	0.2
Account					
General Fund-State 001-1	39,618	19,478	59,096	38,956	38,956
Total \$	39,618	19,478	59,096	38,956	38,956

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: Kate Henry	Phone: 360-786-7349	Date: 02/27/2023
Agency Preparation: Lauren Hatchett	Phone: 2066167203	Date: 03/01/2023
Agency Approval: Charlotte Shannon	Phone: 2066858868	Date: 03/01/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 03/13/2023

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.

Compared to the substitute bill, the second substitute makes the following changes:

- Requires institutions to request documentation of any findings of sexual misconduct only when an applicant declares that such a finding exists; and
- Removes the legislative intent to expand the requirement to request documentation on sexual misconduct investigations to include those generated by scholarly associations.

Based on these changes, we have amended our fiscal note summary accordingly; however, our overall fiscal estimates remain unchanged.

2SHB 1522 intends to amend RCW 28B.112.080, to include substantiated findings generated by scholarly associations. The law currently requires institutions of higher education to ask job applicants, prior to an official offer of employment, to declare whether they had been, or currently are, the subject of substantiated findings of sexual misconduct by an employer or if they resigned employment during an ongoing investigation of sexual misconduct. It also requires institutions of higher education to conduct a sexual misconduct disclosure check on a job applicant's current or previous higher education employers in the state of Washington.

Section 2 would add definitions to RCW 28B.112.040 to define "association," "investigation," and "substantiated findings."

Section 3 would expand RCW 28B.112.080 to require that institutions of higher education ask job applicants to complete a declaration of any substantiated findings of sexual misconduct by any association with which the applicant has, or has had, a professional relationship. It also requires institutions of higher education to send a sexual misconduct disclosure check to a job applicant's relevant associations when a finding has been declared by the applicant prior to an official offer of employment.

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.

SECTION 3

This section would require the University of Washington (UW) to update its sexual misconduct declaration processes for staff, academic student employees, and academic personnel to ask final candidates to declare whether they are the subject of any substantiated finding of sexual misconduct by any association with which the applicant has, or has had, a professional relationship and, if so, to provide an explanation of the situation. The UW would be required to provide the relevant association(s) with a copy of the candidate's signed declaration along with a request for the association to provide information on sexual misconduct, including sexual harassment, by the applicant.

ONE-TIME SYSTEM UPDATES - \$20,140 in FY24

The cost of updating the declaration process for applicants to staff positions will require one-time system changes in the UW's applicant tracking system for staff hires. This is estimated to comprise about 3 months of work at 0.2 FTE of a Senior Computer Specialist (salary for 3 months: \$7,228; benefits rate: 31.8%) and 3 months of work at 0.15 FTE of a

Human Resources Information System Analyst (salary for 3 months: \$3,535; benefits rate: 31.8%) to complete design, development, and testing of the system solution.

The cost of updating the declaration process for applicants to academic student employee positions will require one-time system changes to the UW's third-party system. The cost for this change request is estimated at \$1,000.

The cost of updating the declaration process for applicants to academic personnel positions will require one-time system changes to the UW's third-party system. The cost for this change request is estimated at \$1,000. In addition, to support these changes, an Office of Academic Personnel (OAP) business systems analyst will need to update other forms, websites, etc. This is estimated to amount to 0.1 FTE (salary for 3 months: \$3000; benefits rate: 31.8%).

ONGOING PROCESSING OF DISCLOSURES RELATION TO PROFESSIONAL ASSOCIATIONS - \$19,478 beginning in FY24+

Based on a clarification of legislative intent, the UW would contact a relevant association only when a final candidate for employment discloses a substantiated finding of sexual misconduct by any association with which the applicant has, or has had, a professional relationship. This reduces UW's cost estimates compared to the previous fiscal note. However, if this is not an accurate description of legislative intent, the cost estimates described in the previous fiscal note would remain.

The UW anticipates additional ongoing costs in order to review candidate declarations related to associations, troubleshoot candidates' incomplete or incorrect declarations, and otherwise provide support to candidates, associations, and hiring departments. This work is estimated to incur the following ongoing costs for each fiscal year for FY24 – FY29:

- To support staff and academic student employee sexual misconduct declaration process: 0.1 FTE of a Human Resources Consultant Analyst 2 position (annual salary: \$49,620; benefits rate: 39.5%).
- To support academic personnel sexual misconduct declaration process: 0.1 FTE of an AHR Business Partner (annual salary: \$95,268; benefits rate: 31.8%).

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	39,618	19,478	59,096	38,956	38,956
Total \$			39,618	19,478	59,096	38,956	38,956

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.3	0.2	0.3	0.2	0.2
A-Salaries and Wages	28,252	14,489	42,741	28,978	28,978
B-Employee Benefits	9,366	4,989	14,355	9,978	9,978
C-Professional Service Contracts	2,000		2,000		
E-Goods and Other Services					
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 \$	39,618	19,478	59,096	38,956	38,956

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
AHR Business Partner	95,268	0.1	0.1	0.1	0.1	0.1
AHR Business System Analyst	120,000	0.0		0.0		
Human Resources Consultant Analyst 2	49,620	0.1	0.1	0.1	0.1	0.1
Human Resources Information System Analyst	94,272	0.0		0.0		
Senior Computer Specialist	144,564	0.1		0.0		
Total FTEs		0.3	0.2	0.3	0.2	0.2

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: 1522 2S HB	Title: Sexual misconduct/assoc.	Agency: 365-Washington State University
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

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: Kate Henry	Phone: 360-786-7349	Date: 02/27/2023
Agency Preparation: Emily Green	Phone: 5093359681	Date: 03/01/2023
Agency Approval: Chris Jones	Phone: 509-335-9682	Date: 03/01/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 03/13/2023

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.

2S HB 1522: Sexual misconduct/associations addresses sexual misconduct at scholarly or professional associations. This bill increases the scope of RCW 28.112.080: applicants for employment must disclose substantiated findings or current investigations of sexual misconduct at scholarly/professional organizations.

Section 2 (2) of this bill defines “Association” as a scholarly or professional organization or learned society that sponsors activities or events for the benefit of individuals affiliated with post-secondary education institutions.

Section 2 (5) of this bill defines “investigation” as a procedure initiated in response to a formal complaint, as defined in 34 C.F.R. Sec. 106.30, provided that the procedure fully complies with the provisions of 34 15C.F.R. Sec. 106.45.

Section 2 (9) of this bill defines “substantiated findings” as a written determination regarding responsibility as described in 34 C.F.R. Sec. 106.45(b)(7) prepared at the conclusion of an investigation, as amended by any appeals process.

Section 3 (2) (a) of the amended bill requires that employers request in writing, electronic or otherwise, that the applicant's current and past postsecondary educational institution employers, or relevant associations when a finding has been declared by the applicant, provide the information required in Section 3 (1) (b).

Section 3 (10) of this bill states that the student achievement council shall convene a work group and report to the legislature by November 30, 2024, regarding the ability of institutions of higher education to consider if applicants or current employees have committed sexual misconduct at meetings or conferences of academic and professional associations; and, how institutions of higher education and Washington agencies may encourage adoption of policies and procedures regarding sexual misconduct committed at such association events.

Any expenses related to the implementation of this bill would be absorbed into current Washington State University processes. This bill would not fiscally impact WSU.

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.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

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: 1522 2S HB	Title: Sexual misconduct/assoc.	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	0.5	0.5	0.5	0.5	0.5
Account					
General Fund-State 001-1	45,000	40,000	85,000	80,000	80,000
Total \$	45,000	40,000	85,000	80,000	80,000

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: Kate Henry	Phone: 360-786-7349	Date: 02/27/2023
Agency Preparation: Keith Tyler	Phone: 509 359-2480	Date: 03/02/2023
Agency Approval: Alexandra Rosebrook	Phone: (509) 359-7364	Date: 03/02/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 03/13/2023

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.

2SHB 1522 amends RCW 28B.112.080 to include declarations of current investigations or substantiated findings of sexual misconduct in professional or scholarly associations by applicants for employment. This amendment is on top of the current requirement for applicants to divulge substantiated findings or current investigations of sexual misconduct with previous employers. Institutions of higher education will also be required to expand sexual misconduct background checks to include professional and scholarly associations in addition to current or previous Washington higher education employers. Associations are defined in amended section 2 to mean a scholarly or professional organization or learned society that sponsors activities or events for the benefit of individuals affiliated with postsecondary educational institutions, with a code of conduct forbidding sexual misconduct at such activities or events and established investigative procedures for allegations of violations of the code.

Amended section 3 requires that, prior to an official offer of employment, an applicant must provide to an institute of higher education a declaration of any substantiated findings, current investigations, or resignation of membership during an investigation of sexual misconduct by any association. Institutions of higher education must also include applicants' current or previous associations in sexual misconduct background checks.

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.

Amended section 3 requires that, prior to an official offer of employment, an applicant must provide to an institute of higher education a declaration of any substantiated findings, current investigations, or resignation of membership during an investigation of sexual misconduct by any association. Institutions of higher education must also include applicants' current or previous associations in sexual misconduct background checks. EWU will be required to provide sexual misconduct declarations to associations, including an authorization by the applicant and request for the association to disclose any sexual misconduct committed by the applicant and make available any documentation relating to sexual misconduct or sexual harassment.

The addition of associations to sexual misconduct disclosures and background checks will require Human Resources staff to research and identify applicable associations, identify points of contact, and follow up with associations when responses are not received. Staff will also need to respond to questions from out of state associations to explain and clarify the requirements of this legislation. EWU expects that the number of final candidates who are current or former members of associations will increase significantly over the current number of applicants who are current or previous employees of Washington institutions of higher education.

With the increased workload required to be in compliance with this bill, EWU anticipates an annual need for an additional .5FTE Human Resources associate at a salary of approximately \$31,000, plus additional benefits of \$9,000 (30% benefit rate). EWU also estimates initial setup costs of approximately \$5,000 to update forms, procedures, and HR systems to include the necessary fields and language in compliance with this bill.

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	45,000	40,000	85,000	80,000	80,000
Total \$			45,000	40,000	85,000	80,000	80,000

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.5	0.5	0.5	0.5	0.5
A-Salaries and Wages	31,000	31,000	62,000	62,000	62,000
B-Employee Benefits	9,000	9,000	18,000	18,000	18,000
C-Professional Service Contracts	5,000		5,000		
E-Goods and Other Services					
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 \$	45,000	40,000	85,000	80,000	80,000

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
HR Associate	31,000	0.5	0.5	0.5	0.5	0.5
Total FTEs		0.5	0.5	0.5	0.5	0.5

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

Bill Number: 1522 2S HB	Title: Sexual misconduct/assoc.	Agency: 375-Central Washington University
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

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: Kate Henry	Phone: 360-786-7349	Date: 02/27/2023
Agency Preparation: Erin Sargent	Phone: 509-963-2395	Date: 03/02/2023
Agency Approval: Lisa Plesha	Phone: (509) 963-1233	Date: 03/02/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 03/13/2023

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 1522 enhances the “pass the harasser” law by requiring Central Washington University (CWU) to expand the declaration required of applicants for employment to include substantiated findings by scholarly associations, as well as expand the requirement to request documentation to include substantiated findings or investigations generated by scholarly associations.

The substitute bill defines "investigation" and "substantiated findings", and provides clarification that only associations identified by the applicant need to be contacted pending employment. CWU has assessed the implications of the bill and has determined that the current systems can accommodate the requirements and that no additional resources will be required to implement them.

The second substitute bill adds language to clarify that employers are only required to contact associations that are declared by the applicant.

None of the provisions of the bill create a fiscal impact to CWU.

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.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

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: 1522 2S HB	Title: Sexual misconduct/assoc.	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:

NONE

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: Kate Henry	Phone: 360-786-7349	Date: 02/27/2023
Agency Preparation: Daniel Ralph	Phone: 360-867-6500	Date: 03/01/2023
Agency Approval: Dane Apalategui	Phone: 360-867-6517	Date: 03/01/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 03/13/2023

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.

2S HB 1522 relates to addressing misconduct at scholarly or professional associations.

Section 1 (b) authorizes the applicant's current and past employers or relevant associations to disclose to the hiring institution any sexual misconduct committed by the applicant and making available to the hiring institution copies of all documents in the previous employer's personnel, investigative, or other files relating to sexual misconduct, including sexual harassment, by the applicant.

Section 2 (2) (a) is revised to state the requirement that the prospective employer must request that a relevant association provide the information described in subsection 1 (b) "when a finding has been declared by the applicant."

1522 S HB relates to addressing sexual misconduct at scholarly or professional organizations.

Section 1 is revised to remove the reference to "current investigations" from the declaration that job applicants would have to respond to.

Section 2 (5) defines "investigation" as a procedure initiated in response to a formal complaint.

Section 2 (9) defines "substantiated findings" as a written determination regarding responsibility prepared at the conclusion of an investigation, as amended by any appeal process.

Section 3 (1) (a) revises "declaring whether the applicant is the subject of any substantiated findings of sexual misconduct in any current or former employment or by any association" to include "with which the applicant has, or has had, a professional relationship."

Section 3 (1) (a) removes "is being currently investigated for, or has resigned membership during an investigation into, a violation of any sexual misconduct policy by any association."

Section 3 (2) (b) also removes "is being currently investigated for, or has resigned membership during an investigation into, a violation of any sexual misconduct policy by any association."

HB 1522 relates to sexual misconduct in scholarly or professional associations.

Section 1 explains that the bill is an effort to address sexual misconduct outside the scope of employment – in this case, at scholarly and professional association conferences or meetings. Colleges and universities are required to ask job applicants whether they have been the subject of substantiated findings or investigations by previous or current employers, and to request documentation of such findings prior to extending an offer of employment. This act would extend that requirement to findings and investigations being conducted by professional associations and scholarly associations.

Section 2 defines a professional or scholarly association as one that sponsors activities or events for the benefit of individuals affiliated with postsecondary education institutions with a code of conduct that forbids sexual misconduct at meetings or conferences, and established procedures for investigating such misconduct.

Section 3 adds the new language discussed in section 1 to the required information included on the application for employment.

We feel the cost impact for this bill , as written, is minimal and can be absorbed by existing resources. Therefore, we feel this bill has no 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.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

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: 1522 2S HB	Title: Sexual misconduct/assoc.	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	0.5	0.5	0.5	0.5	0.5
Account					
General Fund-State 001-1	37,000	37,000	74,000	74,000	74,000
Total \$	37,000	37,000	74,000	74,000	74,000

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: Kate Henry	Phone: 360-786-7349	Date: 02/27/2023
Agency Preparation: Timothy Davenport	Phone: 3606503257	Date: 02/28/2023
Agency Approval: Faye Gallant	Phone: 3606504762	Date: 02/28/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 03/13/2023

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 1522 extends the existing background check requirements (as part of the hiring process) to include “associations” (as defined in Section 2) to identify whether an applicant has violated a sexual misconduct policy while attending meetings or conferences of academic or professional associations.

We anticipate that HB 1522 will have a fiscal impact due to the expanded scope of background checks to include these scholarly and professional development organizations/associations. It will require our team members to research and identify a point of contact for each listed organization/association. HR staff will also spend time when they fail to receive timely responses from an association.

This second substitute bill adds language to Section 3 to clarify when a professional association shall provide information regarding an applicant (specifically, when a finding has been declared by an applicant). The same clarification is made in Section 1.

In conclusion, the second substitute bill includes further clarifications that will make it easier to administer. However, the additional background check work remains and thus we have not modified our fiscal note impact analysis.

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.

We estimate 0.50 FTE for a human resources professional will be needed to fulfill the expanded background checks required by this proposed legislation. Associated benefits are roughly 39 percent on top of salary.

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	37,000	37,000	74,000	74,000	74,000
Total \$			37,000	37,000	74,000	74,000	74,000

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.5	0.5	0.5	0.5	0.5
A-Salaries and Wages	26,550	26,550	53,100	53,100	53,100
B-Employee Benefits	10,450	10,450	20,900	20,900	20,900
C-Professional Service Contracts					
E-Goods and Other Services					
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 \$	37,000	37,000	74,000	74,000	74,000

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
HR Consultant Assistant 2	26,550	0.5	0.5	0.5	0.5	0.5
Total FTEs		0.5	0.5	0.5	0.5	0.5

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

Bill Number: 1522 2S HB	Title: Sexual misconduct/assoc.	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:

NONE

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: Kate Henry	Phone: 360-786-7349	Date: 02/27/2023
Agency Preparation: Brian Myhre	Phone: 360-704-4413	Date: 03/01/2023
Agency Approval: Cherie Berthon	Phone: 360-704-1023	Date: 03/01/2023
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 03/13/2023

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.

The second substitute bill differs from the substitute in the following ways:

Requires a postsecondary educational institution to requests an association provide information related to findings of sexual misconduct, when the finding has been declared by the applicant.

Prior to an official offer of employment, a postsecondary educational institution would be required to requests any Association to provide information related to findings of sexual misconduct, when the finding has been declared by the applicant.

Associations are defined as scholarly or professional organizations or learned society that sponsors activities or events for the benefits of individuals affiliated with postsecondary educational institutions that have a code of conduct forbidding sexual misconduct at such activities or events and that have established investigatory procedures for allegations that the code of conduct has been violated.

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.

No expenditure impact.

SECTION 3

Prior to an official offer of employment, a postsecondary educational institution would be required to requests any Association to provide information related to findings of sexual misconduct, when the finding has been declared by the applicant.

It is assumed that the work needed to request substantiated findings from specific Associations, as declared by the applicant, would be limited and can be accomplished using existing processes and within existing resources.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

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

NONE

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.