

**Management Tool for Dual Domestic Violence Shelter & Community Sexual Assault Programs:
Side-by-Side Requirements**

Topic	Sexual Assault	Domestic Violence
Confidentiality	<p>RCW 5.60.060(7) A sexual assault advocate may not, without the consent of the victim, be examined as to any communication made between the victim and the sexual assault advocate.</p> <p>(a) For purposes of this section, "sexual assault advocate" means the employee or volunteer from a community sexual assault program or underserved populations provider, victim assistance unit, program, or association, that provides information, medical or legal advocacy, counseling, or support to victims of sexual assault, who is designated by the victim to accompany the victim to the hospital or other health care facility and to proceedings concerning the alleged assault, including police and prosecution interviews and court</p>	<p>RCW 5.60.060(8) A domestic violence advocate may not, without the consent of the victim, be examined as to any communication between the victim and the domestic violence advocate.</p> <p>(a) For purposes of this section, "domestic violence advocate" means an employee or supervised volunteer from a community-based domestic violence program or human services program that provides information, advocacy, counseling, crisis intervention, emergency shelter, or support to victims of domestic violence and who is not employed by, or under the direct supervision of, a law enforcement agency, a prosecutor's office, or the child protective services section of the department of social and health services as defined in RCW 26.44.020.</p>

	proceedings.	
Initial Training	<p>Fiscal Year: July 1- June 30</p> <p>All volunteer and paid staff must complete 30 hours of initial sexual abuse/assault training. All thirty hours of training should have been received within the past five years. Initial training obtained outside of this time frame will require OCVA approval. Core training provided by Community Sexual Assault Programs must be WCSAP approved every other year.</p>	<p>Fiscal Year: July 1 - June 30</p> <p>From WAC 388-61A-1080</p> <p>Advocates and advocate supervisors must be able to demonstrate an understanding of the nature and scope of domestic violence as defined by this chapter, as well as the historical and societal attitudes in which domestic violence is rooted. Training must be current and relevant to the provision of empowerment based advocacy. Domestic violence agencies should also strive to ensure that staff incorporate training on services to underserved populations as part of each advocate's annual continuing education hours.</p>
Initial Training includes:	<p>The 30 hours must include the minimum number of hours in each cluster.</p> <p>Cluster #1 – Philosophical Foundations (6 of the 30 hours of required training must be in Cluster #1)</p> <ul style="list-style-type: none"> • Mission/Philosophy 	<p>From WAC 388-61A-1080:</p> <p>a) Theory and implementation of empowerment based advocacy;</p> <p>(b) The history of the domestic violence movement;</p> <p>(c) Active listening skills;</p>

	<ul style="list-style-type: none"> • Underlying Conditions Contributing to Sexual Violence • Diversity • Empowerment • Ethics: • Confidentiality • Boundaries • Conflict of Interest • Informed Consent <p>Cluster #2 – Crisis Intervention/ Support/ Information and Referral (15 of the 30 hours of required training must be in Cluster #2)</p> <ul style="list-style-type: none"> • Definitions and Continuum of Sexual Violence • Dynamics of Child, Adolescent, and Adult Sexual Assault • Male Victimization • Effects of Victimization • Crisis/Trauma Theory • Advocacy and Counseling Skills • Listening and Communication Skills • Listening and Communication Skills • Cultural Competency 	<p>(d) Legal, medical, social service, and systems advocacy;</p> <p>(e) Anti-oppression and cultural competency theory and practice;</p> <p>(f) Confidentiality and ethics;</p> <p>(g) Safety planning skills and barriers to safety;</p> <p>(h) Planning, clarifying issues and options, and crisis intervention;</p> <p>(i) Providing services and advocacy to individuals from culturally specific populations; and</p> <p>(j) Policies and procedures of the domestic violence program.</p>
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	<ul style="list-style-type: none">• Grief and Coping Skills• Empathy <p>Cluster #3 – Advocacy</p> <p>(6 of the 30 hours of required training must be in Cluster #3)</p> <ul style="list-style-type: none">• Support and Service Options for Victims• Rights of Victims• Crime Victims Compensation (CVC)• Components of Legal Advocacy• Criminal Justice Process• Crime Reporting and Mandated Reporting• Civil Remedies• Civil and Criminal Court Orders• Medical Concerns and Treatment for Sexual Assault Survivors• Components of Medical Advocacy• Medical Forensic Examination and Evidence Collection• Paperwork, such as victim-impact statements, CVC forms, etc.• Community Resources <p>Cluster #4 – Working Collaboratively</p>	
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	<p>(3 of the 30 hours of required training must be in Cluster #4)</p> <ul style="list-style-type: none"> • Role Clarification and Boundaries • Professionalism and Service Standards • How Local Agencies Are Connected and/or Interconnected • Relationships with CPS and Law Enforcement re: Mandated Reporting • Accessing Additional Services • Paperwork and Documentation 	
<p>Ongoing Training</p>	<p>All direct service providers need 12 hours annually.</p> <p>Management staff are required to have 6 hours; these can count toward the 12 hours.</p> <p>Ongoing training approved by WCSAP and submitted using the application process on the WCSAP website: https://www.wcsap.org/training/approval</p>	<p>From WAC 388-61A-1080</p> <p>Annual minimum of 20 hours of continuing education training beginning in the state fiscal year after they completed their initial training, and in every year thereafter. Staff who will be engaged in prevention efforts must incorporate training on prevention as part of, or in addition to, the annual continuing education requirements.</p> <p>A minimum of ten hours must be live training on</p>

		<p>topics specifically focused on either serving victims of domestic violence and their children, or prevention efforts, or both.</p> <p>The remaining ten hours of training may be satisfied through self-study on topics specifically focused on serving victims of domestic violence and their children, or prevention efforts, or both.</p>
<p>Management Qualifications</p>	<p>The Director must also have a min of 20 hours of management training specific to not-for-profits. The sexual assault program director/coordinator (that is not the ED) must have a min of 10 hours of general management training. There are times when folks are hired who do not meet this requirement. OCVA can provide a letter waiver that includes the agency's training plan for achieving the requirements and a timeline.</p> <p>Training approved by WCSAP.</p> <p>Direct Service supervisors must also have</p>	<p>From WAC 388-61A-1090</p> <p>Within six months of being hired as an advocate supervisor and for each year thereafter, the supervisor must obtain a minimum of 5 hours of training on supervision. Supervision training can be counted toward the 20 hours of annual continuing education training hours required by this chapter.</p> <p>While live, in-person training is the preferred method for supervision training, all methods of live and self-study training are acceptable.</p> <p>Documented in personnel file.</p>

	<p>two years of relevant experience. Documented in personnel file for accreditation review.</p>	
Use of Volunteers	<p>CSAP (accreditation) and VOCA (match) requires use of volunteers (they do not need to provide direct services though).</p>	<p>DSHS requires that programs:</p> <p>Recruit, to the extent feasible, persons who are former victims of domestic violence to work as volunteers or staff personnel. An effort shall also be made to recruit staff and volunteers from relevant communities to provide culturally and linguistically appropriate services.</p>
Support groups	<p>If funded through OCVA Specialized Services funding:</p> <p>Group meetings with a planned beginning and ending date and an outcome-based, structured agenda with a primary focus on sexual abuse/assault issues.</p>	<p>WAC 388-61A-1025</p> <p>(2, g) Support group is listed as a service a department-funded domestic violence program must provide. (h) Child care assistance during individual advocacy sessions and support groups for the adult victim.</p>

	<p>In addition to regular training requirements, the provider must be familiar with the dynamics of sexual abuse/assault and relevant community resources, as well as have an understanding of how medical, legal and social services respond to victims of sexual abuse/assault. The facilitator must also have training in group process and interpersonal dynamics, and experience as a facilitator or co-facilitator.</p> <p>The facilitator must be supervised by a paid staff person with a minimum of a BA degree in Human Services or a related field plus two years of relevant experience or a combination of six years of relevant experience, education and training. The facilitator must be, or receive consultation on group process from, a Masters level therapist.</p>	<p>WAC 388-61A-1000</p> <p>(3) "Domestic violence program staff" are listed as childcare providers (as opposed to volunteers).</p> <p>These groups can be "open" /drop in and on-going with no specific end date.</p>
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<p>24-hour requirements</p>	<p>Accreditation review will require a record of staffing schedule and a call placed to the crisis number by an accreditor to demonstrate Crisis Intervention service is available 24 hours each day, and is immediately available.</p> <p>Immediately available means that the interval between a client phone call and a response from a trained advocate is no longer than 20 minutes.</p>	<p>From WAC 388-61A-1030</p> <p>(4) You must have a staff person available twenty-four hours a day, three hundred sixty-five days a year, who is able to assess requests for emergency shelter and arrange for immediate intake into your shelter or a hotel or motel.</p> <p>(5) Where an individual is eligible for emergency shelter: (a) A staff person must be present to admit a service recipient into the emergency shelter</p>
<p>Eligibility for Services</p>	<p>CSAPs must provide services to victims of sexual assault across the lifespan: adults, children, and adult survivors of child sexual abuse (any age), and the offender(s) can be of any relationship.</p>	<p>WAC 388-61A-1015</p> <p>Supportive services and emergency shelters for victims of domestic violence are essential to provide protection to victims from further abuse and physical harm. (a) Promotes safety for all victims of intimate partner violence and their children.</p>

Voluntary Services	N/A	Programs must not require that clients participate in supportive services as a condition of residing in emergency shelter.
Services Provided by Agency must include:	<p>Core Service Providers (CSAPs) must provide:</p> <ul style="list-style-type: none"> • Crisis Intervention • Information and Referral • Community Awareness • Medical Advocacy • General Advocacy • Systems Coordination • Legal Advocacy 	<p>WAC 388-61A-1025</p> <p>(a) A location with a private setting to meet and assist victims of domestic violence who have a need for community advocacy or supportive services;</p> <p>(b) A dedicated telephone line that serves as the contact number for the domestic violence program;</p> <p>(c) Language and disability access;</p> <p>(d) Crisis intervention;</p> <p>(e) Safety planning;</p> <p>(f) Individual advocacy, including legal advocacy;</p> <p>(g) Support groups;</p> <p>(h) Child care assistance during individual advocacy sessions and support groups for the adult victim;</p> <p>(i) Emergency transportation assistance or access to transportation;</p> <p>(j) Information and referral; and</p>

		(k) Community education and prevention efforts.
<p>Duty to Warn / Imminent Physical Harm</p>	<p>A sexual assault advocate may disclose a confidential communication without the consent of the victim if failure to disclose is likely to result in a clear, imminent risk of serious physical injury or death of the victim or another person. Any sexual assault advocate participating in good faith in the disclosing of records and communications under this section shall have immunity from any liability, civil, criminal, or otherwise, that might result from the action. In any proceeding, civil or criminal, arising out of a disclosure under this section, the good faith of the sexual assault advocate who disclosed the confidential communication shall be presumed.</p> <p>However, the Violence Against Women Act (VAWA) requires that a state statute must <u>mandate</u> reporting of self-harm or harm to others in order to allow breaking</p>	<p>A domestic violence advocate may disclose a confidential communication without the consent of the victim if failure to disclose is likely to result in a clear, imminent risk of serious physical injury or death of the victim or another person. This section does not relieve a domestic violence advocate from the requirement to report or cause to be reported an incident under RCW 26.44.030(1) or to disclose relevant records relating to a child as required by RCW 26.44.030(14). Any domestic violence advocate participating in good faith in the disclosing of communications under this subsection is immune from liability, civil, criminal, or otherwise, that might result from the action. In any proceeding, civil or criminal, arising out of a disclosure under this subsection, the good faith of the domestic violence advocate who disclosed the confidential communication shall be presumed.</p> <p>However, the Violence Against Women Act</p>

	<p>confidentiality. The RCW is <u>permissive</u> (“may”) and therefore does not override the confidentiality requirements set forth in VAWA. Without the client’s informed, written, time-limited consent, making a report is a violation of VAWA funding requirements.</p>	<p>(VAWA) requires that a state statute must mandate reporting of self-harm or harm to others in order to allow breaking confidentiality. The RCW is permissive (“may”) and therefore does not override the confidentiality requirements set forth in VAWA. Without the client’s informed, written, time-limited consent, making a report is a violation of VAWA funding requirements.</p>
<p>Mandatory Reporting</p>	<p>Exceptions to confidentiality occur when: staff has reason to suspect a child or vulnerable adult is abused or neglected (RCW 26.44.030 and RCW 74.34.035, respectively).</p> <p>CSAPs must make it their policy to stay in compliance with the law and must create a system to document mandatory reports. In addition, include policy on mandatory reporting in confidentiality statements. For the Accreditation, both the policy for mandatory reporting and the procedure for documenting these reports may be</p>	<p>Exceptions to confidentiality occur when: staff has reason to suspect a child or vulnerable adult is abused or neglected (RCW 26.44.030 and RCW 74.34.035, respectively).</p>

	reviewed.	
Intake	<p>Accreditation review requires documentation of informed consent of client, including minor clients and adult clients who have a guardian appointed to make personal decisions, to receive services.</p> <p>There are no state laws that govern the age a client must be to consent to their own advocacy services. There is an RCW (71.34.530) that states that clients must be at least 13 years old to consent to their own mental health services.</p>	<p>WAC 388-61A-1055</p> <p>(1) You must have a written file for each client served by your domestic violence program. Client files must:</p> <p>(a) Include an intake that clearly documents the client's eligibility for domestic violence services;</p> <p>(b) Include copies of all required releases and client notices;</p> <p>(2) Where supportive services are provided to the child/youth of clients, your domestic violence program must:</p> <p>(a) Maintain separate documentation for each child/youth who receives supportive services and do not include it in the parent/guardian's file.</p>
Client Records	<p>6 years from the end of the contract year in which last services were provided.</p> <p>Records kept for the purpose of providing advocacy to sexual assault victims will</p>	<p>6 years from the end of the contract year in which last services were provided.</p> <p>From WAC 388-61A-1055</p> <p>You must have a written file for each client</p>

	<p>contain minimal information specifically designed to provide continuity of services and supportive assistance. Factual information is only documented to the extent necessary to provide service.</p>	<p>served by your domestic violence program. Client files must:</p> <ul style="list-style-type: none"> (a) Include an intake that clearly documents the client's eligibility for domestic violence services; (b) Include copies of all required releases and client notices; (c) Be brief in documenting the services provided to the client; and (d) Document only sufficient information to identify the service provided, and do not include any of the following: <ul style="list-style-type: none"> (i) References to service recipient feelings, emotional or psychological assessments, diagnoses, or similar subjective observations or judgments; (ii) Direct quotes from the client. <p>(2) Where supportive services are provided to the child/youth of clients, your domestic violence program must:</p> <ul style="list-style-type: none"> (a) Maintain separate documentation for each child/youth who receives supportive services and do not include it in the parent/guardian's file;
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		<p>(b) Be brief in documenting the supportive services provided to the child/youth;</p> <p>(c) Document only sufficient information to identify the service provided, and do not include any of the following:</p> <p>(i) References to the child/youth's feelings, emotional or psychological assessments, diagnoses, or similar subjective observations or judgments;</p> <p>(ii) Direct quotes from the child/youth.</p>
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References

- Accreditation Standards for Providers of Sexual Abuse/Assault Victim Core Services, Office of Crime Victims Advocacy, August 2016
- Accreditation Toolkit, July 2017, Washington Coalition of Sexual Assault Programs
- Department of Social and Health Services
- Revised Code of Washington
- State of Washington Sexual Assault Service Standards Services for Accredited Community Sexual Assault Programs (CSAPs), Office of Crime Victims Advocacy
- Washington Administrative Code



WCSAP
Washington Coalition of
Sexual Assault Programs

WASHINGTON STATE COALITION
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AGAINST DOMESTIC VIOLENCE

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