

# SENATE BILL REPORT

## SB 5194

---

---

As of January 21, 2021

**Title:** An act relating to providing for equity and access in the community and technical colleges.

**Brief Description:** Providing for equity and access in the community and technical colleges.

**Sponsors:** Senators Liias, Hasegawa, Das, Hunt, Keiser, Nguyen and Wilson, C..

**Brief History:**

**Committee Activity:** Higher Education & Workforce Development: 1/21/21.

**Brief Summary of Bill**

- Requires development of a diversity, equity, and inclusion strategic plan.
- Requires implementation of student success programs including Guided Pathways and the Integrated Basic Education and Skills Training Program.
- Establishes a faculty diversity programs and sets minimum ratios for tenure-track faculty.
- Modifies residency requirements.
- Removes the B&O tax cap on advanced computing businesses.

---

**SENATE COMMITTEE ON HIGHER EDUCATION & WORKFORCE DEVELOPMENT**

**Staff:** Alicia Kinne-Clawson (786-7407)

**Background:** Diversity, Equity, and Inclusion. The State Board for Community and Technical Colleges (SBCTC) has adopted a diversity, equity, and inclusion (DEI) work plan which includes developing hiring resources, analyzing cultural climate resources, creating

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.*

professional development opportunities, and identifying opportunities for the SBCTC to act as a leader on DEI activities.

Integrated Basic Education and Skills Training Program. Washington's community and technical colleges (CTC) created the Integrated Basic Education and Skills Training Program (I-BEST) to teach students literacy, work, and college-readiness skills to help them move through remedial courses faster. The I-BEST program uses a team-teaching approach, in which there are two teachers in the classroom at a time. One provides job-training instruction and the other teaches basic skills. The I-BEST model allows students to work on remedial needs and college-level skills at the same time.

Guided Pathways. The Guided Pathways program is a research-based approach that simplifies higher education choices for students. Courses are grouped together to form clear paths within chosen fields to get students through college and into careers. Guided Pathways provides students with targeted advising to help them stay on their chosen path and evaluates learning outcomes as students progress down a path. The SBCTC is implementing Guided Pathways at CTCs as a pilot. Six colleges were chosen for the pilot, and five additional colleges will be selected this year.

Counselors. Counselors in the CTC system are considered academic employees and faculty appointments for purposes of tenure and collective bargaining. There is no statutory definition of counselor for purposes of CTC employees, and there are no statutorily prescribed minimum requirements for a person to be employed as a counselor at a CTC.

1079 Standard. The Legislature passed HB 1079 in 2003, allowing eligible undocumented students to pay in-state tuition at state universities and colleges if they meet all of the following criteria:

- received a diploma from a high school or the equivalent in Washington State;
- lived in the state for at least three calendar years prior to receiving their diploma or equivalent; and
- continuously lived in the state since receiving their high school diploma.

Eligible students must provide, to the institution, an affidavit indicating they will file an application to become a permanent resident at the earliest opportunity and are willing to engage in other activities necessary to acquire citizenship including, but not limited to, citizenship or civics courses.

Workforce Education Investment Surcharge. A three-tiered Workforce Education Investment surcharge is established. The first tier of surcharge is imposed on selected businesses based on their primary business activity. An activity is considered to be a business' primary activity if more than 50 percent of the business' cumulative gross income was generated from engaging in that activity in the entire current or preceding calendar year. Selected business activities include 44 categories of service and other activities, including, but not limited to, architecture and engineering services, legal services, insurance

carriers, financial services, medical services, software publishing, scientific research, electronic shopping, telecommunications services, and others.

**Summary of Bill: Diversity, Equity, and Inclusion Strategic Plan.** Beginning in 2022, all CTCs must submit to the SBCTC strategic plans for achieving diversity, equity, and inclusion on their campuses. The process must include stakeholders from diverse groups. CTCs may request funds from the SBCTC for implementing the plans.

Mentorship and Advising Programs. The CTCs must implement the following programs to improve student completion rates for financial aid eligible students:

- a student success support program;
- evidence-based remedial program such as the integrated basic education and skills training program;
- Guided Pathways;
- advising programs for financial aid eligible students; and
- dedicated program staff for tutoring or remedial learning.

Faculty Diversity Program. By December 1, 2023, CTCs must establish a faculty diversity program for retaining and recruiting faculty from diverse racial, ethnic, and cultural backgrounds. Subject to appropriations, the CTCs may receive an annual grant up to \$150,000 for developing and administering faculty diversity programs.

Tenure-Track Faculty. By December 31, 2023, SBCTC must create a plan to achieve a systemwide ratio of 70 percent full-time, tenure-track faculty and establish equal-pay-for-equal-work for all faculty members by the end of the 2030-31 academic year. The plan must be implemented in phases. Equal-pay-for-equal-work must be based on the instructional work of the faculty including student support, time in class, preparation for class, grading and assessment, and office hours equivalent to those required for full-time tenure-track faculty under the relevant collective bargaining agreement.

Counselor Staffing. Beginning in 2021, every CTC must have and maintain a faculty counselor ration of no more than 900 aid-eligible students to one full-time equivalent counselor. Minimum standards for counselors include a graduate degree and training.

Childcare Services. The SBCTC in consultation with the Washington Student Achievement Council and the Department of Children, Youth, and Families must design a program to help students access childcare services and qualify for child care subsidies.

Washington College Grant Stipend Program. Subject to appropriations, all Washington College Grant eligible students may also qualify for a stipend to support basic needs including housing, food, medical care, and supplies.

Undocumented Student Loan Program. Residency requirements are modified to require one year of Washington State residency.

Modifications to Residency Statute. The 1079 standard is modified to allow students to be resident students for the purposes of aid and tuition if they have lived in Washington for at least one year.

Workforce Education Investment Act Surcharge. The \$9 million cap on advanced computing businesses is removed.

**Appropriation:** The bill contains a section or sections to limit implementation to the availability of amounts appropriated for that specific purpose.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** The bill contains several effective dates. Please refer to the bill.

**Staff Summary of Public Testimony:** PRO: This is a proposal focused on expanding access for all students in our community and technical colleges. Our students are intellectually capable but the reasons why we see challenges to attaining a credential are all the obstacles in the way for disadvantaged students including students of color, students with disabilities, low-income students, and first generation students. This is our to-do list in the coming years—to have more wraparound services, more counseling, more aid, more full-time faculty, and equal access to student aid. My enrollment at Clark College has changed the direction of my life and also my family's life. Too many students can not complete their course of study. This bill offers research based solutions for the struggles students face. Racial inequalities can not be overcome without significant invests in the system. This bill would expand equity in our system and help some of our most vulnerable populations. The targeted academic advising in this bill will help close the equity gap for first-general, low-income, and students of color. As a non-traditional student I did not know about financial aid and did not think I could qualify. Getting help to students who qualify is important and please make this important investment into equity. Faculty counselors are a vital service to student success. This bill takes the next steps in meeting the needs identified by the Legislature two years ago for more faculty counselors. I attend Centralia College and the lack of racial diversity of faculty does not match the student populations served by our colleges. This bill begins to address this issue by developing systems of retention and recruitment for faculty of color. Students from diverse cultures will succeed more regularly if the faculty look more like them. Access to childcare is vital to working students and necessary to promote equity in the system. As an undocumented student I have to pay nonresident tuition and it is overwhelming. This bill provides a remedy to help me afford college. This bill makes investments in the faculty workforce and in faculty that will better reflect the students that we serve.

CON: The roundtable has set a goal that 70 percent of Washington's students receive a

credential. The things identified in this bill are things we have also identified as important. However, we want these things to be better connect with current guided pathways efforts. In addition, the cap on advanced computing businesses was part of a carefully negotiated bill and we oppose removing it.

OTHER: We have concerns about lifting the cap on the tax that was negotiated just two years ago. However, we are not opposed to the bill because one of our AWB priorities is to support education efforts that are culturally responsive and improve equity in our systems. This bill is going very much in that direction. I fully support the vision and agree with the need to invest further in our colleges. Diversity, equity, and inclusion are priorities for our colleges. But, I have concerns about the fixed staffing ratios in this bill and think that those decisions would be better left to our local boards to make decisions that reflect the needs of the communities they serve. Our local communities look to our colleges to design programs that serve those needs and its imperative our colleges retain the ability to do that. We appreciate the goals in this bill but have concerns about how the bill seeks to achieve them.

**Persons Testifying:** PRO: Senator Marko Liias, Prime Sponsor; Mya Leonhard; Dulce Estrada, Everett Community College; Ibrahim Dembele, Community for Our Colleges; Brooke Zimmers, Shoreline Community College; Erin Gibbons, Coalition for our Colleges; Sunshine Cheng, Communities for Our Colleges; Yadira Chavez, Yakima Valley College, Connection Bridge Club; Nyla Coleman, Communities for Our Colleges; Odalis Medellin, Communities for Our Colleges Coalition; Mark Gorecki, American Federation of Teachers; Lizbeth Gonzalez Vasquez; Jocelyn Granados, Washington Immigrant Solidarity Network; Josiah Joner, Clark College/Communities for Our Colleges; Sara Bukair, Seattle Central College; Dustin Leonhard, Highline College student; Warren Bacote-Wilson; Paul Bell.

CON: Neil Strege, Washington Roundtable.

OTHER: Jan Yoshiwara, State Board for Community and Technical Colleges; John Mosby, Highline College; Doug Mah, South Puget Sound Community College; Dave Mastin, Association of Washington Business; Athrettis Brown, Young Business Men and Women.

**Persons Signed In To Testify But Not Testifying:** PRO: AFT WA, Communities for Our Colleges Coalition; Lizbeth Rivera, Communities for Our Colleges; Laurevi Gonzales, Seattle Central College; Samantha Nelson, Renton Technical College; Miguel Rojas, Yakima Valley College; DeLon Lewis, Everett Community College; Laura Pelayo; Maryam Nuraliyeva, Seattle Central College; Devon Connor-Green, The WA Black Lives Matter Alliance; Jackline Castro; Sioeli (Joe) Laupati; Michael Tuncap, Faculty, WA CTCs; Natalie Hoss.