

E2SSB 5227 - H COMM AMD

By Committee on College & Workforce Development

ADOPTED AS AMENDED 04/09/2021

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that a
4 postsecondary credential such as a degree, apprenticeship, or
5 certificate is increasingly necessary to obtain a job that offers a
6 good salary and advancement opportunities and that increasing the
7 number of students in Washington who obtain such a credential is
8 essential to the state's economic success. The legislature also
9 recognizes that equity gaps remain among postsecondary students and
10 that those gaps particularly impact students from historically
11 marginalized communities.

12 The legislature finds that developing and maintaining a culture
13 of belonging and support for students, faculty, and staff at
14 institutions of higher education is essential to student success, and
15 that faculty and staff play a key role. The legislature therefore
16 seeks to ensure that public institutions of higher education provide
17 faculty and staff, as well as students, with training to give them
18 tools to address matters related to antiracism, diversity, equity,
19 and inclusion.

20 The legislature further finds it necessary to regularly analyze
21 the impact of that training on the campus community and to identify
22 any measures needed to increase diversity, equity, and inclusion.
23 Accordingly, the legislature intends that each public institution of
24 higher education assess the learning, working, and living environment
25 on campus that students, faculty, and staff experience to better
26 understand the evolving state of diversity, equity, and inclusion.

27 NEW SECTION. **Sec. 2.** A new section is added to chapter 28B.10
28 RCW to read as follows:

29 (1) Each institution of higher education must:

30 (a) Provide professional development, either existing or new,
31 focused on diversity, equity, inclusion, and antiracism for faculty

1 and staff. This program must be developed in partnership with the
2 institution's administration, faculty, staff, and student leadership
3 groups. Efforts must be made to ensure the program is developed and
4 delivered by individuals with innate and acquired experience and
5 expertise in the field of diversity, equity, and inclusion. The
6 content framework for professional development must be posted on each
7 institution's public website for parents and community members. The
8 professional development must begin in the 2022-23 academic year;

9 (b) Create an evaluation for professional development
10 participants. The evaluations must, at minimum, capture a
11 participant's level of satisfaction with the professional development
12 opportunity, the degree to which the learning objectives were
13 achieved, and how the knowledge gained may be applied to their work;

14 (c) (i) Share completed evaluations of program participants
15 annually with either the state board for community and technical
16 colleges or an organization representing the presidents of the public
17 four-year institutions of higher education, depending on the
18 institution; and (ii) submit curriculum and other pertinent
19 information regarding the program beginning July 1, 2023, and,
20 subsequently, if there is a meaningful change or by request of the
21 reporting entity.

22 (2) The purpose of each professional development program
23 curriculum must be rooted in eliminating structural racism against
24 all races and promoting diversity, equity, and inclusion while
25 improving academic, social, and health and wellness outcomes for
26 students from historically marginalized communities. Institutions of
27 higher education may further develop a curriculum that is reflective
28 of the needs of the campus community.

29 (3) (a) Beginning with the 2022-23 academic year, every new
30 faculty and staff member at an institution of higher education must
31 participate in the program, regardless of whether they are a full-
32 time or part-time employee. All faculty and staff participating in
33 the professional development program must complete an evaluation.
34 Other faculty and staff may participate in the professional
35 development program as needed or required by their institution. Each
36 institution must develop a goal of at least 80 percent of their total
37 faculty and staff completing the professional development program
38 every two years and report on their goal's progress in the report
39 established in section 5 of this act. Each institution may determine
40 how to show progress towards their goal. Part-time faculty and staff

1 who are employed at more than one institution of higher education are
2 only required to complete the professional development program at one
3 institution if they provide proof of completion to their other
4 institution of higher education employers to receive credit for
5 participation.

6 (b) Beginning with the 2024-25 academic year, 35 percent of
7 tenured faculty and 35 percent of administrators at each institution
8 of higher education must complete the professional development
9 program every two years, regardless of whether they are a full-time
10 or part-time employee.

11 (4) The state board for community and technical colleges and an
12 organization representing the presidents of the public four-year
13 institutions of higher education may conduct further analysis of the
14 professional development programs through participant evaluation
15 data, use of focus groups, or other methods to determine promising
16 practices. The state board for community and technical colleges and
17 an organization representing the presidents of the public four-year
18 institutions of higher education must post a list of model standards
19 and promising practices for professional development on their public
20 websites for parents and community members.

21 (5) The institutions of higher education shall adopt rules as
22 necessary or appropriate for effecting the provisions of this
23 section, not in conflict with this chapter, and in accordance with
24 the provisions of chapter 34.05 RCW, the administrative procedure
25 act.

26 NEW SECTION. **Sec. 3.** A new section is added to chapter 28B.10
27 RCW to read as follows:

28 (1)(a) The institutions of higher education as defined in RCW
29 28B.10.016 shall each conduct a campus climate assessment to
30 understand the current state of diversity, equity, and inclusion in
31 the learning, working, and living environment on campus for students,
32 faculty, and staff. The assessment shall occur, at minimum, every
33 five years. Institutions of higher education shall use the results of
34 the campus climate assessment to inform the professional development,
35 established in section 2 of this act, and program, established in
36 section 4 of this act. Institutions may use an existing campus
37 climate assessment to meet this requirement.

38 (b) The state board for community and technical colleges shall
39 develop a model campus climate assessment for the community and

1 technical colleges that the colleges may use or modify to meet the
2 requirements of this section.

3 (2) The design of an existing or new campus climate assessment
4 must involve, at minimum, students, college and university diversity
5 officers, faculty, and staff. The campus climate assessment must
6 include, at minimum, an evaluation of student and employee attitudes
7 and awareness of campus diversity, equity, and inclusion issues. The
8 campus climate assessment may also include questions evaluating the
9 prevalence of discrimination, sexual assault, harassment, and
10 retaliation on and off campus, in addition to student, faculty, and
11 staff knowledge of campus policies and procedures addressing
12 discrimination, sexual assault, harassment, and retaliation. College
13 and university diversity officers and students must be consulted in
14 the development of recommendations.

15 (3) Institutions of higher education must, at minimum, conduct
16 annual listening and feedback sessions for diversity, equity, and
17 inclusion for the entire campus community during periods between
18 campus climate assessments. Institutions of higher education must, to
19 the maximum extent practicable, compensate students for their
20 participation in the annual listening and feedback sessions.

21 (4) Beginning July 1, 2022, the institutions of higher education
22 shall report findings or progress in completing their campus climate
23 assessment and, when applicable, information on their listening and
24 feedback sessions annually to either the state board for community
25 and technical colleges or an organization representing the presidents
26 of the public four-year institutions of higher education. The
27 institutions of higher education must also publish annually on the
28 institution's public website the results of either the campus climate
29 assessment or listening and feedback sessions.

30 (5) The state board for community and technical colleges may
31 require colleges to repeat their campus climate assessment. An
32 organization representing the presidents of the public four-year
33 institutions of higher education may also request state universities,
34 regional universities, and The Evergreen State College to repeat
35 their campus climate assessment.

36 NEW SECTION. **Sec. 4.** A new section is added to chapter 28B.10
37 RCW to read as follows:

38 (1) Each institution of higher education must:

1 (a) Provide a program, either existing or new, on diversity,
2 equity, inclusion, and antiracism to students beginning with the
3 2024-25 academic year. Institutions of higher education may expand
4 the focus of its program to reflect the needs of the campus
5 community. This program must be developed in partnership with the
6 institution's administration, faculty, staff, and student leadership
7 groups. Efforts should be made to ensure the program is developed and
8 delivered by individuals with innate and acquired experience and
9 expertise in the field of diversity, equity, and inclusion. The
10 content framework for each program must be posted on each
11 institution's public website for parents and community members; and

12 (b) Create an evaluation for program participants. The evaluation
13 must, at minimum, capture a participant's level of satisfaction with
14 the program and how they will apply the program to their education.

15 (2) The purpose of each program must be rooted in eliminating
16 structural racism against all races and promoting diversity, equity,
17 and inclusion while improving outcomes for students from historically
18 marginalized communities. Institutions of higher education may
19 further develop a curriculum that is reflective of the needs of the
20 campus community.

21 (3) During the 2024-25 academic year, all degree-seeking students
22 at institutions of higher education must participate in the program,
23 regardless of whether they are a full-time or part-time student.
24 Beginning with the 2025-26 academic year, the program is only
25 required for degree-seeking students who are new or have transferred
26 to the institution and have not yet participated in a required
27 diversity, equity, inclusion, and antiracism program at an
28 institution of higher education. Students must be allowed to opt out
29 of participation in the program if they self-attest to taking a
30 diversity, equity, inclusion, and antiracism training at an
31 institution of higher education within the previous five years.

32 (4) The state board for community and technical colleges and an
33 organization representing the presidents of the public four-year
34 institutions of higher education may conduct further analysis of the
35 programs, through participant evaluation data, use of focus groups,
36 or other methods to determine promising practices. The state board
37 for community and technical colleges and an organization representing
38 the presidents of the public four-year institutions of higher
39 education must post a list of model standards and promising practices

1 for programs on their public websites for parents and community
2 members.

3 (5) The institutions of higher education shall adopt rules as
4 necessary or appropriate for effecting the provisions of this
5 section, not in conflict with this chapter, and in accordance with
6 the provisions of chapter 34.05 RCW, the administrative procedure
7 act.

8 (6) For purposes of this section, "student" or "students" does
9 not include nonmatriculated students.

10 NEW SECTION. **Sec. 5.** A new section is added to chapter 28B.10
11 RCW to read as follows:

12 By December 31, 2024, and biennially thereafter, the state board
13 for community and technical colleges and an organization representing
14 the presidents of the public four-year institutions of higher
15 education shall each submit a report to the higher education
16 committees of the legislature in accordance with RCW 43.01.036 for
17 their respective institutions of higher education. The reports must
18 include the following:

19 (1) Information on the professional development programs
20 implemented by each institution of higher education, including
21 updates on progress towards meeting the goal outlined in section 1 of
22 this act;

23 (2) A summary of results of the campus climate assessments and
24 other relevant information received by the institutions of higher
25 education; and

26 (3) By December 31, 2026, and biennially thereafter, the reports
27 must also include information on the student diversity, equity,
28 inclusion, and antiracism programs implemented by each institution of
29 higher education.

30 NEW SECTION. **Sec. 6.** If any part of this act is found to be in
31 conflict with federal requirements that are a prescribed condition to
32 the allocation of federal funds to the state, the conflicting part of
33 this act is inoperative solely to the extent of the conflict and with
34 respect to the agencies directly affected, and this finding does not
35 affect the operation of the remainder of this act in its application
36 to the agencies concerned. Rules adopted under this act must meet

1 federal requirements that are a necessary condition to the receipt of
2 federal funds by the state."

3 Correct the title.

EFFECT: (1) Changes "should" to "must" to state that efforts must be made to ensure the faculty and staff professional development program is developed and delivered by individuals with experience and expertise.

(2) Clarifies that improving outcomes for students from historically marginalized communities means improving academic, social, and health and wellness outcomes for students.

(3) Specifies that the goal of at least 80 percent of all faculty and staff completing the professional development program is for every two years, rather than over a two-year period.

(4) Requires that beginning with the 2024-25 academic year, 35 percent of tenured faculty and 35 percent of administrators must participate in the professional development program every two years, regardless if they are part-time or full-time employees.

(5) Adds that faculty and staff who are employed at more than one institution of higher education are only required to complete the professional development program at one institution if they provide proof of completion to their other institution of higher education.

(6) Strikes references to the "Council of Presidents" and replaces it with "an organization representing the presidents of the public four-year institutions of higher education."

(7) Combines the reporting requirements of the bill into a single section.

(8) Adds that students must also be included in developing recommendations from the campus climate assessments.

(9) Requires institutions of higher education to compensate students, to the maximum extent practicable, for their participation in the annual listening and feedback sessions.

(10) Limits the required diversity, equity, inclusion, and antiracism program for students to only degree-seeking students.

(11) Removes the requirement that the State Board for Community and Technical Colleges (SBCTC) conduct campus climate assessments for the community and technical colleges and instead requires each of the community and technical colleges to conduct their own assessments.

(12) Requires the SBCTC to develop a model campus climate assessment for the community and technical colleges that the colleges may use or modify.

(13) Removes the restriction that campus climate assessments cannot be uniform or standardized.

(14) Adds that the campus climate assessments may include questions evaluating the prevalence of discrimination, sexual assault, harassment, and retaliation on and off campus, in addition to student, faculty, and staff knowledge of campus policies and procedures addressing discrimination, sexual assault, harassment, and retaliation.

(15) Allows students to opt out of participation in a diversity, equity, inclusion, and antiracism (DEIA) program if the student self-

attests to having taken a DEIA training at an institution of higher education within the previous five years.

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