

E2SSB 5227 - H COMM AMD

By Committee on College & Workforce Development

ADOPTED AND ENGROSSED 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. The program must
27 also include elements that focus on commonalities and humanity.
28 Institutions of higher education may further develop a curriculum
29 that is reflective of the needs of the campus community.

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

1 how to show progress towards their goal. Part-time faculty and staff
2 who are employed at more than one institution of higher education are
3 only required to complete the professional development program at one
4 institution if they provide proof of completion to their other
5 institution of higher education employers to receive credit for
6 participation.

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

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

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

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

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

1 (b) The state board for community and technical colleges shall
2 develop a model campus climate assessment for the community and
3 technical colleges that the colleges may use or modify to meet the
4 requirements of this section.

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

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

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

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

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

1 (1) Each institution of higher education must:

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

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

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

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

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

1 education must post a list of model standards and promising practices
2 for programs on their public websites for parents and community
3 members.

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

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

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

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

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

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

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

31 NEW SECTION. **Sec. 6.** If any part of this act is found to be in
32 conflict with federal requirements that are a prescribed condition to
33 the allocation of federal funds to the state, the conflicting part of
34 this act is inoperative solely to the extent of the conflict and with
35 respect to the agencies directly affected, and this finding does not
36 affect the operation of the remainder of this act in its application
37 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.

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