

BV-SHRM HANDOUT FOR JANUARY 2024

Articles - Texas Senate Bill 17 effective January 2024 and Workforce Innovation and Opportunity Act (WIOA) reauthorization called A Stronger Workforce for America Act



Article from Houston Landing – Essential journalism. Empowered – online news organization.
by Monique Welch / Staff writer - August 24, 2023

Texas’ anti-DEI law is wreaking havoc before it takes effect next year. Here’s what to know.

Texas Senate Bill 17 passed in May, and has already become a cultural lightning rod because of the impact it will have on public higher education institutions when it takes effect Jan. 1, 2024.

The legislation, which is known informally as “the anti-DEI law,” shuts down diversity, equity and inclusion offices like university LGBTQ+ centers. It’s one of many bills passed during the 88th legislative session to impact faculty and students in higher education, including a bill banning transgender student-athletes’ participation in college sports and another modifying faculty tenure policies.

Supporters of the legislation say DEI practices are “discriminatory” and give special treatment based on race, color and ethnicity rather than merit. Opponents argue that it poses an overall threat to the quality of higher education, and will ultimately hinder school administrators from cultivating a diverse and welcoming campus.

Here’s everything you need to know about SB 17 and the impact it would have on Houstonians.

What does SB 17 say?

The bill prohibits all state-funded colleges and universities from establishing or maintaining diversity, equity and inclusion offices, and bans the hiring or assignment of an employee to perform the duties of a DEI office.

It also prohibits institutions from soliciting DEI statements from job candidates, or giving preference to any applicants “on the basis of race, sex, color, ethnicity or national origin.”

And it bans any mandatory diversity training “implemented in reference to race, color, ethnicity, gender identity, or sexual orientation.”

How does SB 17 impact Houston and Houstonians?

SB 17 impacts diversity, equity, and inclusion initiatives at public institutions of higher education. In the Houston area, that would mean that the following schools would need to comply with the new rules: Houston Community College, San Jacinto College, Prairie View A&M University, Texas Southern University and the University of Houston.

School-run organizations, such as the University of Houston’s LGBTQ Resource Center, would be impacted by the bill and forced to close when it takes effect in January. UH students have been bracing for the official announcement of the forthcoming closures ever since a “premature” and “unauthorized” flyer was taped to the door of the center mid-August that read: “In Accordance with Texas Senate Bill 17, the LGBTQ Resource Center has been disbanded.”

What is *not* impacted by SB 17?

SB 17 does not impact student-led organizations at public universities, as Creighton confirmed in a June statement.

The bill also would not impact non-public universities, such as Rice University.

And only higher-education institutions fall under the bill, so public high schools, middle schools and elementary schools would not be impacted.

Dawn Champagne, a Katy ISD board member, at right, expresses concerns for Katy ISD students about the policy related to parental authority and gender fluidity at a Katy ISD board meeting on Monday, Aug. 21, 2023, in Katy. (Joseph Bui for Houston Landing)

When would it take effect?

Gov. Greg Abbott signed SB 17 into law on June 17, and it goes into effect on Jan. 1, 2024. However, some institutions, like UH, have already started implementing changes. A memo shared to students and faculty Wednesday said the university’s LGBTQ Resource Center and its Center for Diversity, Equity and Inclusion will no longer operate effective Aug. 31.

What do supporters of SB 17 say?

Supporters of the bill, such as Lt. Gov. Dan Patrick, argue that DEI hiring practices are “discriminatory”. The bill’s text says that DEI offices cause unfairness by “promoting differential treatment” or “special benefits” to individuals on the basis of race, color, or ethnicity.

“Texans have some of the best higher educational opportunities available nationwide, right here at home. However, DEI hiring practices have caused division and must be stopped,” Patrick said in an April statement. “Texas universities improve and the educational environment is enhanced when we recruit the best faculty based on merit and equal opportunity, not arbitrary quotas based on equity.”

Houston-area Senator Brandon Creighton, R-Conroe, who filed the bill, said in a June statement that it would promote a “merit-based approach” and “[w]hat sets SB 17 apart from other proposals is that the legislation delivers strong enforcement with mandates to return Texas colleges and universities to their core mission– educate and innovate.”

What do opponents say?

A group of civil rights and education advocacy organizations condemned the law in a May statement from the Legal Defense Fund, saying it will “undermine the ability of educators and administrators to create a diverse and welcoming campus and threaten the quality of higher education in Texas.” Opponents also say that it will also “negatively impact student outcomes,” such as retention and graduation rates for students from underrepresented communities.

“There were students from out of state that would come to [the University of Houston] because it was listed as one of the most trans-inclusive campuses in the state,” said Jamie Gonzales, a former program coordinator in UH’s LGBTQ Resource Center, an office that university officials confirmed on Wednesday will close as of Aug. 31 due to the law.

She anticipates that the legislation will discourage specifically LGBTQ+ students from attending any university in Texas.

“I think we will lose LGBTQ talent and our future leaders to universities not being able to have these spaces in these programs on campus,” Gonzales said in a phone interview with the Landing. “I absolutely think that if students have those funds and the resources to go somewhere out of state that is more inclusive, I imagine we will lose those students.”

The Texas Higher Education Coordinating Board will measure the impact of the law twice a year by examining a variety of factors: application rate, acceptance rate, matriculation rate, retention rate, grade-point average, and graduation rate based on race, sex, and ethnicity. They will submit their findings and any recommendations to the legislature by Dec. 1 of each even-numbered year.

How are Houston-area universities planning to comply?

Among those universities that are affected by SB 17, some have already announced changes to DEI programs and the closure of offices or the elimination of specific staff roles. Others have yet to formally announce their implementation plans.

Houston Community College - HCC announced on its website that its “Diversity Equity and Inclusion Officer” position has been eliminated in response to SB 17. Darin Baskin, who is currently in the role, will return to his prior position, the letter addressed to “HCC family” said. The letter also stated that the university’s general counsel and “Talent Engagement” offices are “currently studying the implications of the new law, and are working to identify any additional adjustments necessary to our organization.”

San Jacinto College - A spokesperson for San Jacinto College said in a statement to the Landing that the institution is “committed to operating within the scope of SB17” and that changes are coming to its office of diversity, equity and inclusion as well as its programs and activities, to align with the legislation. “We will develop a new office to address access and excellence, connecting us with all members of our community and continuing to create a culture where all employees and students feel welcomed and valued,” the statement reads.

Prairie View A&M University - PVAMU did not respond to the Landing’s multiple attempts for comment on its forthcoming changes to its DEI offices.

Texas Southern University- TSU has not announced any changes to its DEI offices or staff roles. But in a statement to the Landing, a spokesperson said, “TSU will be in 100% compliance with SB 17.”

University of Houston - Currently, both the LGBTQ Resource Center and the Center for Diversity and Inclusion – a university-run multicultural center – are still operating until Aug. 31, a university representative confirmed to the Landing on Wednesday. On Aug. 11, UH emailed a statement to the Landing after an unauthorized and “premature” sign was taped to the door of its LGTBQ Resource Center in mid-August that read: “In Accordance with Texas Senate Bill 17, the LGBTQ Resource Center has been disbanded.” A UH spokesperson confirmed in the statement that there will be changes to university policies to comply with SB 17. The statement clarified that those changes will impact both centers and “require a reconfiguration of departments, employees and their scope of

work.” The university plans to present a full implementation plan to the board of regents later this month.

What are the penalties if the law is violated?

According to the [bill](#), the state auditor will periodically conduct a compliance audit of each institution at least once every four years.

If an institution violates the law, they have approximately 180 days to correct it before facing financial penalties and being disqualified from future funding and “institutional enhancements”.

The bill also allows students and employees to sue their institutions if they are required by the university to participate in DEI training.



Article from American Council on Education – membership organization involved in higher education community and policy.

HOUSE COMMITTEE APPROVES BILLS ON SHORT-TERM PELL, WIOA REAUTHORIZATION December 18, 2023

Last week, the House Education and the Workforce Committee **voted to move forward** two bills impacting institutions of higher education: the **Bipartisan Workforce Pell Act** (H.R. 6585) and the **A Stronger Workforce for America Act** (H.R. 6655).

Bipartisan Workforce Pell Act

Committee members voted 37 to 8 to approve a bill expanding Pell Grants to short-term career training programs of eight to 15 weeks, which would expand access to training for adults seeking better job opportunities, a policy ACE **has traditionally supported**.

However, the legislation contains a funding mechanism intended to cover the cost of the expansion that would cut federal student loans to dozens of colleges and universities that are subject to an excise tax on investment income (the so-called “endowment tax”).

ACE **sent a letter** on behalf of five other higher education associations last week to congressional leaders expressing strong opposition to the unprecedented and harmful shift in federal student financial aid that could have broader implications for the accessibility of higher education.

“Beyond the harmful precedent this approach would set, it will have negative consequences for students,” the groups write.

During the markup, Committee Ranking Member Bobby Scott (D-VA), one of the original cosponsors of the bill, indicated a willingness to reconsider the offset and explore alternative means to fund the bill. Several other legislators from both parties expressed concerns with the offset.

To learn more, ACE has published a **bill summary** and **talking points**.

A Stronger Workforce for America Act

The committee also approved A Stronger Workforce for America Act, a bill that would reauthorize the Workforce Innovation and Opportunity Act (WIOA), by a vote of 44 to 1. Given the role of higher education in developing and preparing a high-skilled workforce, several aspects of the legislation impact institutions of higher education.

This bipartisan bill, which covers federal workforce programs, includes changes intended to upgrade the skills of workers to help them obtain jobs in critical industries, assist individuals who were formerly incarcerated in transitioning back into the workforce, and strengthen workforce education programs at community colleges.

The bill would also add new accountability provisions for WIOA programs and seeks to provide state and local workforce boards more flexibility to improve the workforce system.

The House Committee on Education and the Workforce provided a **brief summary** and a **section-by-section summary** of the bill.