

Amarillo College SB 17 Toolkit

General Guidance and Clarification

SB 17's prohibitions are primarily intended to eliminate the mandates around preferential treatment, special benefits, and required training and programs with reference to race, color, ethnicity, sex, gender, orientation, and national origin that emanate from a DEI Office or similar type of entity. Generally, exceptions are oriented around federal law, such as Title IX, where anti-discriminatory compliance is applicable. Additional exceptions are noted in the rubric below, and each one must still generally adhere to the specific prohibitions outlined in the bill.

One aspect of the interpretive difficulty in applying SB 17 is that DEI has become a broad umbrella term that encompasses numerous strategies in higher education aimed at student success. For example, dual-credit outreach in low-income areas is typically referred to as an equity-based practice. Another example would be our THRIVE scholarship program. Important to note, however, is that both examples are not exclusionary in principle, as the College conducts outreach all over the service region and makes the THRIVE program available to all students who meet the general selection criteria, without reference to prohibited identity categories.

The bottom line is that any policy, process, system, activity, program, or training we create aimed at our students' success is fundamentally going to be an equity-based approach because we predominantly serve first-generation, low-socioeconomic status, minority, and underserved students. Historically, this reality has always been the case ever since the inception of the community college through the Morrill Act of 1862 and its proliferation after the second land-grant act of 1890. The Texas Education Code conveys a deep understanding of the mission, role, and purpose of the Texas community college in serving a disproportionately disadvantaged student population who have more limited access to attend four-year institutions.

An equity-based approach—considered separately from the ideological social justice aim of a DEI Office—is chiefly concerned with closing achievement gaps when outcomes are disparate by addressing and improving student learning and the students' experience of the college climate and culture. Such an approach must be understood as being compliant with SB 17's prohibitions as long as the implementation of the approach does not exclude, give preferential treatment, confer special benefits, or produce a conditional requirement on the basis of the identity categories the bill prohibits. Because DEI has been politicized, we must be conscientious about the manner in which we communicate perfectly acceptable approaches that may fall under the DEI umbrella but are not at all disallowed by SB 17.

Compliance and Exceptions Crosswalk with SB 17

Description	Exception	Enumerated
<p>Amarillo College may not establish/maintain or use a proxy for a DEI Office that influences hiring and employment practices, promotes differential treatment, provides special benefits, designs policies and procedures, or conducts training/programs/activities on the basis of race, color, ethnicity, or sex.</p>	<p>Federal Law</p>	<p>Policies, procedures, training, programs, and activities with reference to race, color, ethnicity, or sex must be approved by AC counsel and THECB and, for training, developed by an attorney to ensure compliance with law or a court order.</p>
<p>Amarillo College may not compel, require, induce, or solicit a person to provide a DEI statement or give preferential consideration to a person who provides a DEI statement.</p>	<p>Federal Law</p>	<p>An institution or an employee may submit a DEI statement, as required by a grantor or accrediting agency, disclosing the institution’s efforts to support first-generation, low-socioeconomic, or underserved students, which may include institutional data or certification of compliance with state and federal antidiscrimination laws.</p>
<p>Amarillo College may not give preference to an employee, an applicant for employment, or a participant in a function of the college based on the person’s race, sex, color, or ethnicity.</p> <p>*Preference on the basis of race, sex, color, or ethnicity refers specifically to treating a person more favorably because of one of the aforementioned attributes.</p>	<p>Federal Law</p>	<p>There appears to be no specific examples where an institution might design and implement some program, activity, training, policy that preferentially benefits one group—on the basis of race, sex, color, or ethnicity—while excluding another on a similar basis.</p>
<p>Amarillo College may not require DEI training as a condition of enrolling at the college or performing a college function.</p> <p>*DEI training includes any training specifically with reference to race, color, ethnicity, sex, or sexual orientation.</p>	<p>Federal Law</p>	<p>Specific exceptions include annual equal employment opportunity and Title IX trainings, as well as compliance training for Title IX, Title VII, Chapter 21 of the Texas Labor Code, or similar federal and state laws.</p>

SB 17 Compliance Rubric

Activity, policy, process, event, practice, program, or service with reference to race, color, ethnicity, sex, gender, orientation, or national origin	Does it establish anything like a DEI Office ¹ or a function of a DEI Office?	Does it establish a basis for preferential treatment or provide any special benefits to a particular group or person based on race, color, ethnicity, sex, gender, orientation, or national origin?	Does it require, compel, induce, or solicit a DEI statement or give preferential consideration to a person for a DEI statement?	Does it establish a condition for enrollment or performing a college function on the basis of race, color, ethnicity, sex, gender, orientation, or national origin?	Does it exclude any group or person on the basis of race, color, ethnicity, sex, gender, orientation, or national origin?	Can you do it? If you answered yes to any of the preceding questions, you cannot implement the proposed activity, policy, process, event, or practice.	Exception
Grant (local, state, or federal)						Y/N	Exception: SB 17 does not restrict an employee, in applying for a grant or complying with accreditation terms, from submitting to the grantor or accrediting agency a statement highlighting the community college's work supporting first-generation, low-income students,

¹ A DEI Office seeks to foster an inclusive and equitable environment that values and celebrates diversity in all its forms. A typical mission is to promote a workplace or educational community where individuals from diverse backgrounds, perspectives, and experiences feel valued, respected, and empowered to contribute their unique talents and perspectives. Such an office strives to eliminate barriers, promote equity, and create a culture of belonging. Often, this mission is accomplished through required training, education, and cultural competence programs aimed at students, faculty, and staff; by working closely with Human Resources to ensure diverse recruitment practices; through policies created to promote DEI; through support and advocacy for marginalized groups; by implementing data-driven approaches to assess progress toward a more diverse, equitable, and inclusive environment; and through community partnerships. **SB 17 is primarily designed to prohibit the manner in which DEI Offices have operationalized programs and services through mandates and preferential treatment that result in excluding others on the basis of race, color, ethnicity, sex, gender, orientation, and national origin in violation of antidiscrimination laws.**

							underserved student populations or certifying the college's compliance with antidiscrimination laws. Tex. Educ. Code § 51.3525(c). A grant may not be used to establish a basis for preferential treatment or provide special benefits for the aforementioned identity categories. However, a grant may be used to generally address first-generation, low-income, or underserved student populations. The activities of the grant may not exclude other groups on the basis of prohibited identity categories.
Academic Course Instruction						Y/N	Exception: SB 17's prohibitions on DEI offices and initiatives do not apply to academic courses. Faculty course instruction should not give preferential treatment or provide special benefits on the basis of the prohibited identity categories. Grants may be utilized to provide faculty with resources to design academic courses and implement instructional strategies for first-generation, low-socioeconomic status, or underserved students.
Scholarly Research							Exception: SB 17's prohibitions on DEI offices and initiatives do not apply to scholarly research. Grants may be utilized to fund

							scholarly research around first-generation, low-socioeconomic status, or underserved students.
Creative Work							Exception: SB 17's prohibitions on DEI offices and initiatives do not apply to creative work. Grants may be utilized to fund creative work around first-generation, low-socioeconomic status, or underserved students.
Student Organizations							Exception: SB 17 does not prohibit student organizations from engaging in activities with reference to identity categories, but they should not exclude on the basis of identity categories. Registered student organizations may continue to receive state and grant funds administered by the institution in a neutral fashion.
Student Recruitment and Admissions							Exception: SB 17 does not prohibit student recruitment and admissions from engaging in activities with reference to identity categories, but they should not exclude on the basis of prohibited identity categories.
Guest Speakers or Performers							Exception: SB 17's prohibitions on DEI offices and initiatives do not apply to guest speakers

							and performers as long as value neutral selection criteria are applied. Guest speakers and performers may be brought in under grants and as part of student life/organizations.
Data Collection							Exception: SB 17's prohibitions on DEI offices and initiatives do not apply to data collection. Grants also may be utilized to fund data collection around first-generation, low-socioeconomic status, or underserved students.

Scenarios

Type	Example	Description	Justification
Training: Faculty Professional Development	Engaging At-Risk Students	This workshop is primarily geared toward faculty who teach high-enrollment GenEd courses with a high percentage of FTIC students. Faculty will learn several instructional strategies for engaging at-risk students and developing a supportive and collaborative learning environment.	This faculty workshop (which could be grant funded) complies with SB 17 as long as it is optional, does not compel a DEI statement, and does not become a condition of employment.
Training: Faculty Professional Development	Neurodiversity: A New Andragogical Approach	This workshop will present the latest research on neurodivergent learners and how they respond more positively to empathic approaches in the classroom.	This faculty workshop (which could be grant funded) complies with SB 17 as long as it is optional, does not compel a DEI statement, and does not become a condition of employment.

AC Pride Event: Guest Speaker	Presentation: “Understanding and Supporting Trans Students”	This session will explore the experiences of transgender students within our college community. Our aim is to foster a more inclusive environment, promote understanding, and provide a platform for dialog.	This student life event complies with SB 17 as long as it is not required of anyone and is open to anyone.
AC General Assembly	Keynote Speaker: “Breaking Barriers: Fostering Belonging for Low-Income Students in Higher Education”	In this inspiring session, our keynote speaker will explore innovative strategies, share personal stories, and discuss the importance of creating an inclusive environment that ensures every student, regardless of socioeconomic background, feels a profound sense of belonging. Discover practical insights and actionable steps to cultivate a supportive community where all students thrive academically, emotionally, and socially.	This keynote presentation complies with SB 17 because it generally addresses low-income students across all identity categories.
Grant Training	Course Redesign	One of the goals of the grant is to improve retention of disadvantaged FTIC students. One activity for this goal is to	This grant activity complies with SB 17 because faculty self-select into it, and the training

		<p>redesign a high-attrition course by utilizing backward design, developing and incorporating a high-impact practice, and creating space for student voices. Faculty self-select into the redesign activity. The resulting master course is distributed after the pilot phase to all course instructors to teach. Training is provided to these instructors on the changes.</p>	<p>associated with the activity does not violate SB 17.</p>
<p>HR Training</p>	<p>Implicit Bias</p>	<p>This training is specifically crafted to delve into the realm of implicit biases, concentrating on the subtle and unconscious attitudes surrounding race that can impact decision-making and interactions. Through engaging discussions, real-world examples, and reflective exercises, participants will gain profound insights into the complexities of racial biases and explore strategies for fostering a more racially inclusive environment.</p>	<p>If this training were a requirement for enrolling at the college or a condition of employment, it would be out of compliance with SB 17.</p> <p>*Note that implicit bias training with reference to other categories, such as socioeconomic status, may be allowed if not required or a condition of employment.</p>

