The University of Texas at San Antonio

UTSA Staff Senate

General Meeting Minutes

Wed., November 15, 2023 | 8:30-10:30 A.M. | Teams

8:32 a.m. Meeting Called to Order

- Guests: Doug Eldridge, Mary Hernandez
- Attendees: Andrea McClure, Angel Espinoza, Angela Trejo, Angie Lopez, Anna Boyer-Chadwick, Bev Ostmo, Cindy Orth, Damaris Ibarra, Drew Vincent, Gabby Flores, Gaby Rodriguez, Harshan Raj, Heather Frazer, Jeff Miller, Jessica Vela, Jo Fernandez, Justin Marmolejo, Katia Diamante, Lauren Hoffmann, Lauren Smith, Lisa Alonzo, Lisa Johns, Matt Keneson, Matthew Fey, Mickie Tencza, Olamiposi Kolajo, Pebby Garner, Sapna Naik, Sharon Martinez, Victoria Downing, Xavier Loredo
- Excused: Amy Fritz, Eric Uriegas, Jenny Stokes, Julie Fisher, Nnenna Ikwuagwu, Stef Casper, Vero Salazar
- Unexcused: David Dominguez, Jackie Ortiz, James Rodriguez, Jennilee Garza

8:32 a.m. Mission Development

Presentation by Doug Eldridge, People Excellence
- Presentation is at the end of these minutes
- Success Criteria

The University of Texas at San Antonio

UTSA Staff Senate

- o We're not going to walk away with a mission statement today
- o Learn a process
- Learning intentions. We will
  - o Get to know Staff Senate's whys
  - o Apply our whys in a group dynamic
  - o Create an initial draft of the Staff Senate mission statement
- Why does the Staff Senate exist?

Staff Senate's Why

**Thinking about the Staff Senate team, follow the directions below.**

❖Divide into breakout rooms (groups of 3, if possible)

❖Each person answer the question: **Why does the Staff Senate exist?**

❖Take notes for each person

❖Discuss AND capture the key words/root causes or brief statements that you feel best describe and align to the purpose of Staff Senate

❖Keep this list of words for an upcoming activity

  - o
- What does it mean to have a mission statement?
  - o It defines who you are. If someone reads it, they'd have a better understanding of what the group is about. Audience is anyone.
  - o A mission statement is a single statement that defines the reason your team exists-beyond simply making a profit. It also illustrates how your product or service positively impacts the people you serve. Once your mission is established, you'll need a series of goals to drive that purpose.
- What does it mean to have a vision statement?
  - o Where we want to go/be and how to get there, direction for the future
  - o A vision statement is an inspirational statement of an idealistic emotional future of a company or group. Vision describes the basic human emotion that a founder intends to be experienced by the people the organization interacts with.
  - o The audience is people of the group.
- What is the difference between a vision statement and a mission statement?
  - o Mission is present-based, for stakeholders and community members, meant to show why a team exists, shows where the team currently stands
  - o Vision is future-based, for employees (team members), meant to inspire, gives direction
    - Two schools of thought: (1) Vision is always out of reach. (2) Vision should be a challenge but is reachable within a time period. Once you reach it, establish a new vision.
- A mission is good. A shared mission is better.
  - o A shared mission incorporates the missions of individuals within a workforce. It defines a purpose that allows everyone involved within the organization to share a value that addresses broader components beyond financial such as social, community, and environmental elements.
- Four components to a mission statement
  - o Purpose (why), Scope (how), Direction (what), Beneficiary (who) - not necessarily in

this order

UTSA Mission Statement
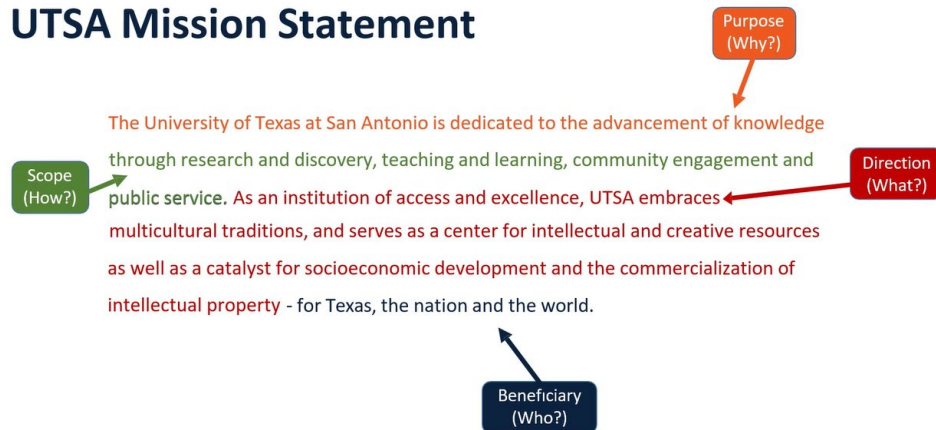
- o
- o Menti exercise: Why does Staff Senate exist at UTSA?

- o
- Current Staff Senate Mission Statement (in current bylaws: https://www.utsa.edu/staffsenate/documents/Bylaws---Staff-Senate-6-23-21.pdf)
  - o <u>Section 1</u>
  - o The Staff Senate shall serve as a consultative and deliberative body for Staff in:
    - 1. addressing issues of concern that are unique to Staff,
    - 2. fostering expanded opportunities for Staff involvement in campus governance,
    - 3. building a sense of community by encouraging the exchange of ideas and concerns,
    - 4. providing advice on university policy and procedures impacting Staff,
    - 5. advising the University on Staff nominations to University Standing Committees as equal members, and
    - 6. promoting the growth and welfare of Staff, contributing to the success of UTSA.
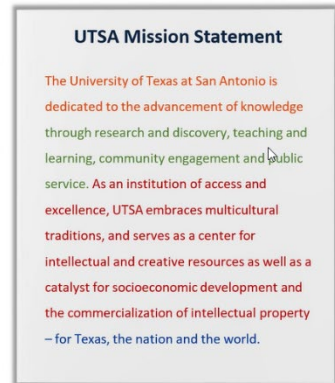
- o Section 2
- o The Staff Senate, in keeping with the mission of UTSA, is an advisory body and can convey information and make recommendations to the President regarding interests and concerns of Staff. The Staff Senate is constituted by the President and by the Board of Regents of The University of Texas System, with the goal of continually improving university operations and the well-being of UTSA's Staff. The Staff Senate is not intended to supplant existing procedures for addressing issues. Staff Senate is an official Staff organization.
- Breakout room discussion

The "Why" for Staff Senate – Part 2

Using the Mentimeter results:

1. Within a breakout room, combine "like" words, then discuss and underline the words that best make up the "why" for Staff Senate.

2. Group and label the words. Ex. Students, faculty, employees and leaders = Key Stakeholders

3. Separate into the 4 Categories.
   - Purpose (Why)
   - Scope (How)
   - Direction (What)
   - Beneficiary (Who)

4. Ensure alignment with the UTSA Mission.

5. Within your breakout room, Create a Mission/Purpose Statement for Staff Senate – using the words from Step 2 of this activity.

UTSA Mission Statement

The University of Texas at San Antonio is dedicated to the advancement of knowledge through research and discovery, teaching and learning, community engagement and public service. As an institution of access and excellence, UTSA embraces multicultural traditions, and serves as a center for intellectual and creative resources as well as a catalyst for socioeconomic development and the commercialization of intellectual property – for Texas, the nation and the world.

- o
- o Combined words: Advocate, support, amplify, communication, empower, collaborate, community representation, stewardship, representation, engagement, leadership,
- o Who = staff, professional staff,
- o Purpose/why = advocacy
- o Why - advocate, support, empower
- o How - shared governance, addressing issues
- o What - representation
- o Who - staff/employee/team
- Drafting a mission statement that's in alignment with the UTSA mission statement in breakout rooms
- Sharing drafts
    - o The mission of the Staff Senate is to:
        - continue to foster communication within the campus community;
        - refer issues and inform the university administration on items that are of interest to the staff;
        - advance the university's mission
        - improve the delivery of services to the university's constituencies
    - o support the success staff by:
        - by advocating for positive change
        - promoting community and development
    - o informs staff of opportunities across campuses for networking, leadership opportunities, and communicates changes within the university.
    - o The UTSA Staff Senate is dedicated in supporting the success of professional staff by

advocating for positive change, well-being, promoting community and development, through a shared governance and addressing issues.

- o Staff Senate provides advocacy, resources and support to the staff. The purpose is to provide services for staff with any inquiries for resources such as QIC (questions, ideas, and concerns), wellness (physical), emergency funds, and professional development etc. At all levels of our organization as a tier 1 university we strive for excellence to serve our staff community.
- o UTSA Staff Senate is a representative body dedicated to staff advocacy and advancement through collaboration with university leadership and other key stakeholders.

Draft Mission Statement-

The UTSA Staff Senate is dedicated to advocating and empowering the university staff community by fostering an environment where every voice is heard. As a shared governance body, Staff Senate informs staff of opportunities across campuses for networking, leadership opportunities, and communicates changes within the university to promote employee success.

- o
- o The UTSA Staff Senate is dedicated to advocating and empowering the university staff community by fostering an environment where every voice is heard. As a shared governance body, Staff Senate informs staff of opportunities across campuses for networking, leadership opportunities, and communicates changes within the university to promote employee success.
- o The UTSA Staff Senate advocates for and amplifies the voice of staff members through shared governance to improve university operations and the well-being of UTSA staff
- o Through the use of advocacy, the UTSA Staff Senate empowers all staff and amplifies their voices in order to create positive change.
- o The UTSA Staff Senate exists as a representative voice for UTSA staff along with fostering a sense of community and wellbeing. As stewards of university resources we serve as advocates for the needs of UTSA staff and influence policies within the UT system and higher education, with the goal of impacting society.
- o The UTSA Staff Senate is an advocacy group who collectively represent the Staff employees across the university. Leadership by the Staff Senate addresses concerns, collaborates ideas, recognizes achievements and develops opportunities to advance the wellbeing for all key stakeholders.
- o UTSA's staff senate's mission is to advocate, support, and service UTSA staff by identifying staff needs through networking with other staff throughout the university. Staff senate will bring awareness to feedback received and benefit the community serving UTSA staff, university leadership, and our students.
- What are our next steps after today's session?
  - o Take all of these mission statement drafts and condense them into one brief mission

statement.
- o Roll it out to the big group for input and wordsmith before we put it up on the website.
- o A solid mission statement will not be completed overnight or even in a month. These can take a long time and effort to word it just right so stakeholders know why we exist and how we can better their lives.
- Continue to grow as a leader
  - o Professional Development opportunities through People Excellence include Leadership courses and monthly leadership huddles. There's a certificate program available.
  - o Leadership Toolkit
  - o Deer Oaks Employee Assistance Program

10:02 a.m. Complying with SB17

Presentation by Mary Hernandez, Senior Associate VP & Ops., Program, Activity and Initiative Review Team (PAIR) Member
- Today, determination communications went out to all units who submitted items for review. There will also be a campus-wide communication going out.
- Some examples in the presentation – some units are just hearing about this and this information has not been widely disseminated yet.
- Update on continuing guidance and preliminary findings
  - o https://www.utsystem.edu/sites/default/files/documents/publication/2023/sb17-guidance/ut-system-sb-17-guidance-9-25.pdf (added to the end of these minutes)
  - o Bottom line: Just making training voluntary does not make it compliant.
  - o Today and tomorrow are the Board of Regents meeting that may provide additional clarification that they will pass along.
  - o There were 325 total inventory submissions that were reviewed
- Summary of preliminary findings
  - o 26 items have been eliminated by the unit
  - o 110 (1/3) are permitted and no changes are required
  - o 53 items require modifications
  - o 42 may require modifications to comply with SB 17
  - o 35 are not permitted
  - o 16 are grant-related (pending)
  - o 31 are mission, vision, or values related to DEI (pending)
  - o 12 in process or other (pending)
- Examples
  - o Permitted: short-term guest speakers, programs and initiatives implemented without regard to sex, ethnicity, race, gender, etc., and affinity groups
    - ▪ Permitted: Providing support through the ADA Office
    - ▪ Permitted: Prospanica Conference and Career Expo (Alvarez College of Business) because race and ethnicity are not use as determining who has access
    - ▪ Permitted: REU for AHSU because race, color, ethnicity

- - - Not permitted: Black Student-Athlete Summit because it is open exclusively to Black student-athletes and prohibited by SB 17.
  - o Items requiring modification: Due to SB17's prohibition on having units, employees or groups established to perform DEI functions, with regard to sex, gender, race, ethnicity, etc.
    - Requires modification: Harassment and discrimination prevention module of annual compliance training
    - Not permitted: DEI Advisory Council, because SB17 prohibits universities from establishing DEI groups or offices
    - Requires modification: MSCEJ identity and cultural graduation celebrations (e.g., Lavender Graduation Ujima, etc.), because prohibition from providing special benefits; may be modified by opening to all members who want to participate or partner with a
    - Requires modification: Training for Housing and Res Life Resident Assistants
  - o Items that must be discontinued
    - Training, even if it is not mandatory
    - Not permitted: Dreamer Ally training and LGBTQIA+ Ally Trainings are not permitted
    - Not permitted: Diversity and Inclusion in Action Online module (Graduate School)
    - Not permitted: President's Distinguished Diversity Awards
    - Requires modification: MSCEJ-Heritage/Cultural Month Awards – name modification
  - o Pending
    - Grant-sponsored activities and program-level mission statements, vision statements, or values.
- Next steps: communicating findings, campus engagement and verifying compliance
  - o Written notifications are going out today on Wednesday, November 15
  - o Will implement a two-step attestation confirming required actions have been taken by December 14
  - o The PAIR team will host drop-in sessions
  - o An internal audit is planned for January 2024
  - o They will perform a site-wide audit of key terms and take steps to full remove content from Google search results
  - o Make site-wide changes, updates, and revisions
  - o Provide additional technical support
- Questions
  - o Contact the PAIR team if there are programs that have not yet been identified or are planned. The institution will continue to receive additional guidance.
- https://www.utsa.edu/president/campusandcommunity/SB17.html
- Mary will continue to come back to provide updates

10:39 a.m. Adjourn

- Next Meeting: Wednesday, December 20, 2023, 8:30-10:30 a.m., in-person

Tabled

Old Business
- October general meeting minutes
- Vote on Staff Senate General Meeting Minutes from October 18, 2023

Questions about Written Updates
- Note: For updates from Staff Senate Committees and University Service Committee Representatives, please review the written updates at the end of the agenda.

Reminders
- Attendance and Bylaws
- Next meeting will be in person

Written Updates

University Service Committees
- Enriching Campus Wellbeing Committee – Gabby and Vero
  - Bryanda may come into one of our Staff Senate meetings to give updates about the Rowdy New U programs.
- Employee Advisory Council – Brandy and Matt
  - Working with Matt and Brandy to bring the Council meeting to UTSA in February. You'll hear more soon.
- Faculty Senate – Justin
- Hispanic Thriving Leadership Council – Eric
  - First meeting in November
- HOP Committee – Andrea
- Inclusive Excellence Advisory Board – Anna
- Operational Review Committee – Amy
  - Haven't met. Processes start in January and will meet with Student Affairs, Public Safety, and University Relations
- Out-of-State Work Modality Committee – Lisa A.
  - No updates as the committee has not received any requests.
- Parking & Traffic Committee – Heather, Lauren H., Harshan, Gaby

- o Committee met – no real updates. Things will continue status quo.
- o Clay Haverland is retiring January 31, 2024. Ricardo Escobar will be stepping into the role when Clay retires.
- o There were several comments from employees via the Campus Experience Task Force.
- People Excellence Working Group – Stef, Anna, Jennilee, Eric, Sapna
  - o Continue to share your and your constituents' feedback about Performance Evaluations via the link in Teams.
  - o We are continuing to work on work modalities, educational benefits, and performance evaluations.
  - o Our next working group meeting is Monday, December 4, 2023
  - o Staff Senators can access our complete notes at PE and SS Working Group Notes.docx
- Public Safety Advisory Council – Xavier
- Strategic Investment Fund Committee – Damaris
- Sustainability Council – Julie
  - o No updates
- University Excellence Awards Steering Committee – Pebby and Sharon
- University Leadership Council – Amy
  - o SB17 updates – Amy will share a spreadsheet at our next meeting. There were 800+ items submitted, and ~1/3 have SB17 relation. The main focus is the Inclusive Excellence statements that are under review. They are concerned with those statements. Amy has another SB17 meeting early next week – Monday at 9:30am.
  - o HSI designation is not affected by SB17 because it's a different federal law so we don't have to worry about that
- University Scholarship Committee – Justin
  - o No updates

Staff Senate Committees
- Bylaws – Harshan
  - o No updates
- Communications – Drew and Jennilee
  - o Focused on Touchdowns for Tuition (TFT) comms – worked on the emails that went out
  - o Jennilee has secured an announcer shout out and screen graphic for the Nov 11 game to thank TFT attendees
  - o Gabby, Katia, and Gaby have been producing social media content to push TFT
  - o Working on Communication Calendar
    - Will likely be an Excel spreadsheet and will be linked in the top on Teams
  - o On standby to assist with next Newsletter
- Community Outreach & Events – Jessica
  - o Window Wars
    - Window Wars was a success with 12 Organizations/Departments participating.
    - The winner was the College of Liberal and Fine Arts Student Success Center.
    - Thank you to Judges, Harshan for representing Staff Senate at Best Fest to

announce the winner and Katia for handling all the social media.

- o Touchdowns for Tuition
    - 71 Tickets sold = $497.00 raised
    - Tailgate was successful we have a lot of visitors at our tent
    - Took 3 separate donations at the Tailgate for Staff Senate
    - Leftover Supplies (Swag and Decorations) will be placed in the Staff Senate Closet
    - Photos from Game are in Teams Folder - Game Photos
    - Report of who bought tickets in Teams Folder - Ticket Purchases as of 11.9.2023.csv
- o Adopt a Family – We have not received a family yet but this is the plan.
    - Once we have a family assigned we will send out the sign-up sheet
        - Sign Up Instructions – Please fill in your name next to the item that you will be purchasing. You can add your name multiple times under different items. Note – We need at least one gift per family member.
    - Gift Wrapping Instructions – Each new gift must be wrapped and securely labeled with the Family Members's Name.
        - Gently used items may be donated. If donating a gently used item DO NOT Wrap the Item, simply attach a label with the Family member's name.
        - If you have gift receipts or would like to include gift receipts or gift cards, please place in an envelope secured to one of the packages in the bag.
    - Gift Drop-Off Instructions – Staff Senate will be delivering gifts on December 1st, all those who wish to participate in delivering the gifts should meet at 1:30 pm in the HEB Student Union Harris Room (HEB SU 2.212). You can drop off your gifts on the day of delivery at the Harris Room between 8am and 1:30pm or before that with Jessica Vela at the North Paseo Building 5.102.21, Monday through Thursday 7:30am to 5:00 pm.
- Elections – Cindy and Victoria
    - o Meeting next week to have another review. Will review details starting in January to make sure we have representation from all campuses.
- Finance – Angel and Lauren S.
    - o All committee chairs have been notified of approvals. The committee reviewed requests and provided cost-saving strategies because they were not able to meet every request fully. Committees can start making purchases and completing BEFs.
    - o Justin and Amy will look at the budget and see how they can get additional funds. We'd like to have a downtown Staff Appreciation event, in conjunction with Lego of Stress. May seek funds from all divisions we support.
- Health & Wellness – Vero and Heather
    - o Lego of Stress – Next Lego of Stress event was Tuesday, November 14 from 11-1 in JPL Assembly Room. Time is shortened to 2 hours. Staff can utilize their wellness break, with supervisor permission, or lunch break.
    - o Dates for Spring 2024 and Fall 2024 are set. Room reservations have been submitted

and awaiting confirmation of locations.
- o Support hosting a Lego of Stress at downtown campus.
- QIC – Lauren H. and Bev
    - o Met last Friday. Existing and ongoing QICs that committee is looking into.
    - o Received two QIC forms that have been resolved. The QIC Progress spreadsheet is updated.
    - o One is related to Mental Health First Aid. Sapna is going to bring it to the E-board and Stef to Health and Wellness.
    - o New submission about sick leave – Amy is going to take that one on.
    - o Performance Evaluation process is going to the working group
- Staff Appreciation & Scholarships – Sharon and Pebby
    - o Meeting was last week where they voted on this month's winner.

E-Board Updates

- Amy and Justin met with Jason King last week. He's meeting with everyone on the ULC. Hoping he'll be a good resource for us.
- Website is going through an overhaul to make it more appealing. The homepage is updated!
- If you have an interest in writing for the next newsletter, let Amy know. Articles are 125-150 words. Next newsletter is going out in January, and we have to get it to Communications 4 weeks before.

Staff Senate: Setting Team Mission

November 15, 2023

Doug Eldridge, Organizational Development Specialist

Success Criteria

You will:

- Walk away committed to developing Staff Senate's mission

- Have a process to collaboratively and confidently start drafting a Staff Senate mission statement

Learning Intentions

We will:

- Get to know Staff Senate's "Whys"

- Apply our "Whys" in a group dynamic

- Create an initial draft of the Staff Senate's mission statement

Agenda

1 Welcome/ Introduction

2 Find our Why

3 Our Mission Activity

4 Next Steps

"Excellence is not achieved in isolation."

- Don Clifton, Clifton StrengthsFinder

Why does the Staff Senate exist?

Staff Senate's Why

Thinking about the Staff Senate team, follow the directions below.

❖Divide into breakout rooms (groups of 3, if possible)

❖Each person answer the question: **Why does the Staff Senate exist?**

❖Take notes for each person

❖Discuss AND capture the key words/root causes or brief statements that you

feel best describe and align to the purpose of Staff Senate

❖Keep this list of words for an upcoming activity

What does it mean to have a Mission Statement?

A mission statement is **a single statement that defines the reason your team exists— beyond simply making a profit**. It also illustrates how your product or service positively impacts the people you serve.

Once your mission is established, you'll need a series of goals to drive that purpose.

What does it mean to have a Vision Statement?

Vision Statement

A vision statement is an inspirational statement of an idealistic emotional future of a company or group. Vision describes the basic human emotion that a founder intends to be experienced by the people the organization interacts with.

What is the difference between a Vision Statement and a Mission Statement?

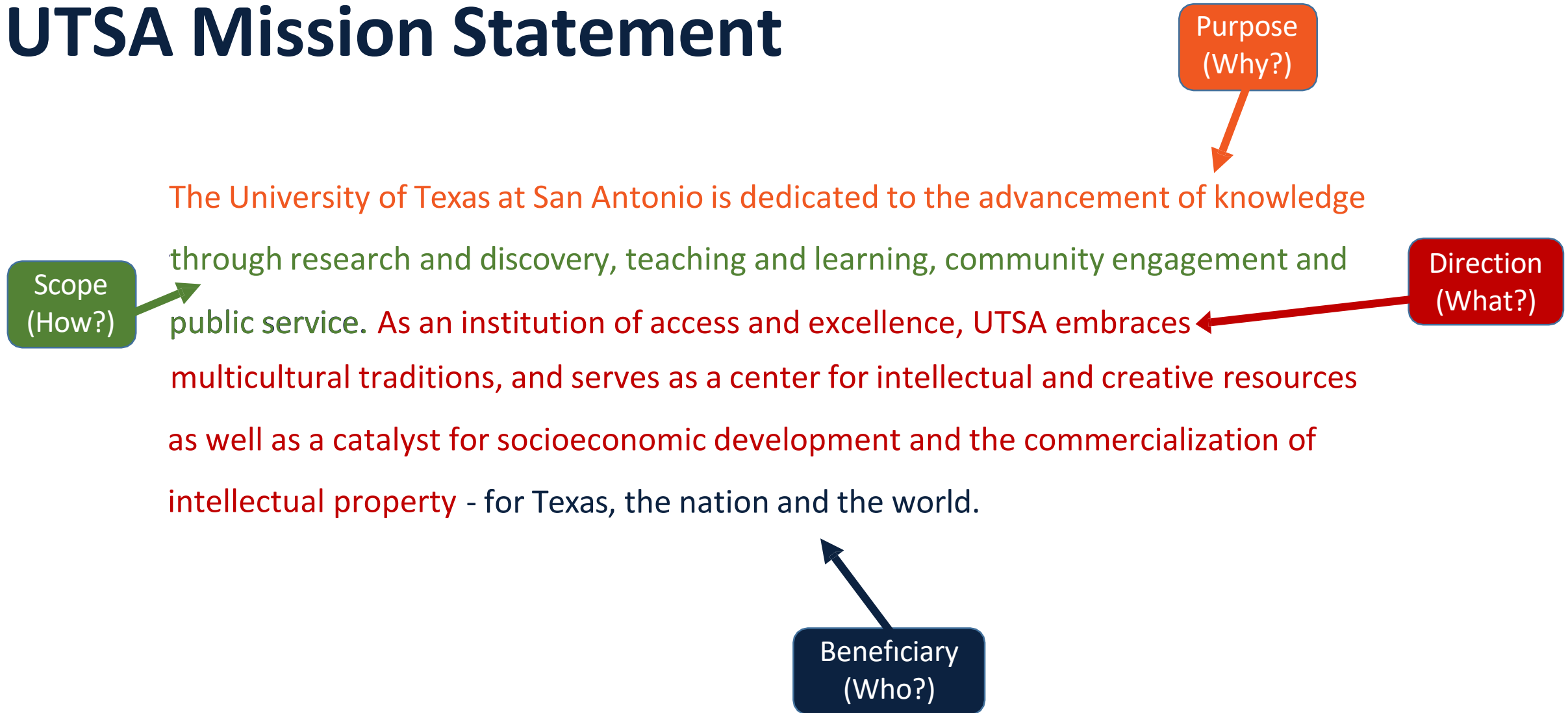| Mission	Vision
• Present-based • For stakeholders and community members • Meant to show why a business (team) exists • Shows where the business (team) currently stands	• Future-based • For employees (team members) • Meant to inspire • Gives direction

A mission is good.
A shared mission is better.

Shared Mission

A **shared mission**, however, **incorporates the missions of individuals within a workforce**. It defines a purpose that allows everyone involved within the organization to share a value that addresses broader components beyond financial such as social, community and environmental elements.

UTSA Mission Statement

Purpose (Why?)

The University of Texas at San Antonio is dedicated to the advancement of knowledge through research and discovery, teaching and learning, community engagement and public service. As an institution of access and excellence, UTSA embraces multicultural traditions, and serves as a center for intellectual and creative resources as well as a catalyst for socioeconomic development and the commercialization of intellectual property - for Texas, the nation and the world.

Scope (How?)

Direction (What?)

Beneficiary (Who?)

The "Why" for Staff Senate – Part 1

Based on your discussion of "Why" the Staff Senate exists:

1. Using Mentimeter, enter as many words as you can, from the notes you took earlier, that best represent the "why" for Staff Senate. (one word or brief statement per entry (max 25 characters per entry))

2. If you think of additional words representing the "why" for Staff Senate, add them!

3. Review everyone's responses on Mentimeter

4. Take a picture of those words with your phone

GO TO
menti.com

ENTER THE CODE
6692 8260

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Faculty Senate Mission

Old Mission:

The Faculty Senate exists to give voice to all faculty through collaboration with administration to achieve shared governance in order to advance the mission of UTSA. This is accomplished through collaboration with UTSA Administration, Student Government, Staff Senate, the UT System, and other representative bodies on campus.

Current Mission:

Faculty Senate is a representative body that cultivates shared governance to advance UTSA's mission.

Staff Senate Mission

Old Mission:

Section 1

The Staff Senate shall serve as a consultative and deliberative body for Staff in:

1. addressing issues of concern that are unique to Staff,

2. fostering expanded opportunities for Staff involvement in campus governance,

3. building a sense of community by encouraging the exchange of ideas and concerns,

4. providing advice on university policy and procedures impacting Staff,

5. advising the University on Staff nominations to University Standing Committees as equal members, and 6. promoting the growth and welfare of Staff, contributing to the success of UTSA.

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The Staff Senate, in keeping with the mission of UTSA, is an advisory body and can convey information and make recommendations to the President regarding interests and concerns of Staff. The Staff Senate is constituted by the President and by the Board of Regents of The University of Texas System, with the goal of continually improving university operations and the well-being of UTSA's Staff. The Staff Senate is not intended to supplant existing procedures for addressing issues. Staff Senate is an official Staff organization.

The "Why" for Staff Senate – Part 2

Using the Mentimeter results:

1. Within a breakout room, combine "like" words, then discuss and underline the words that best make up the "why" for Staff Senate.

2. Group and label the words. Ex. Students, faculty, employees and leaders = Key Stakeholders

3. Separate into the 4 Categories.
   Purpose (Why)
   Scope (How)
   Direction (What)
   Beneficiary (Who)

4. Ensure alignment with the UTSA Mission.

5. Within your breakout room, Create a Mission/Purpose Statement for Staff Senate – using the words from Step 2 of this activity.

UTSA Mission Statement

The University of Texas at San Antonio is dedicated to the advancement of knowledge through research and discovery, teaching and learning, community engagement and public service. As an institution of access and excellence, UTSA embraces multicultural traditions, and serves as a center for intellectual and creative resources as well as a catalyst for socioeconomic development and the commercialization of intellectual property – for Texas, the nation and the world.

Share each Mission Statement from each group

Color Legend
- Purpose (Why)
- Scope (How)
- Direction (What)
- Beneficiary (Who)

What are your **Next Steps** after today's session?

Continue to Grow as a Leader

Leadership Foundations Courses (Level 1)

Setting Team Mission and Vision
Communications
Professional Boundaries
Managing the Performance Management Process
Building Teams

Leadership Foundations + Courses (Level 2)

Change Management
Supervising Others
Delivering Constructive Feedback
Managing Hybrid and Remote Teams
Strategic Thinking
Time Management for Managers Online Course
– *Online Module Coming Soon*

Enhanced Leadership: Beyond the Basics (Level 3)

Change Management: Project Development for People Success
Creating and Leading a Community of Trust
Strategic Planning
Leading a Multi-Generational Team
Developing Employees Through Performance Management

Monthly Leadership Huddles

Informal opportunities to engage leaders on trending topics of interest and build a network of leaders centered around professional growth and development

Enroll in Upcoming Leadership Huddles

- August 2023: Meet People Excellence
- September 2023: Inspiring Professional Growth
- October 2023: Supervising Students
- November 2023: Stay interviews

Recordings of Past Leadership Huddles:

- January 2023: Effective Employee 1:1 Meetings
- February 2023: Difficult Conversations
- March 2023: From Colleague to Supervisor
- April 2023: Leading Through Change
- May 2023: Employee Recognition
- June 2023: Leading a Hybrid or Remote Team
- July 2023: Employee Engagement/ Individual Development Plans

The Leadership Toolkit

We are excited to share **The Leadership Toolkit**, an exciting

new resource geared at providing leaders with a quick

reference to common questions and processes.

This tool will continue to evolve and adjust based on feedback

and employee needs. We are thrilled to have it ready for you

and hope that you find it to be a helpful tool!

Scan the QR Code or select this link to access: The Leadership Toolkit

Deer Oaks Employee Assistance Program

Call:

- **1-888-993-7650**
- 24 Hour Access to
  Free Professional Support
  National Relay: 1-800-877-8339

Online:

- **www.deeroakseap.com**
- Member Login
  Username: utsa
  Password: utsa
  (lowercase)

EAP - Employee Assistance Program | People Excellence | UTSA | The University of Texas at San Antonio

A mission statement is your purpose, and a vision statement is what you are driving to.

-Mark Villareal

Thank you!

UT SYSTEM SB 17 WORKING GUIDANCE

FREQUENTLY ASKED QUESTIONS

I. INTRODUCTION

The 88th Texas State Legislature passed, and Governor Greg Abbott signed into law, Senate Bill 17, "Responsibility of Governing Boards Regarding Diversity, Equity, and Inclusion Initiatives," which amends Texas Education Code 51.5325 effective January 1, 2024.

The University of Texas System (UT System) is developing guidance, including the following FAQs, to assist institutions with implementing the bill's requirements. UT System will update the FAQs as needed.

UT System remains committed to supporting its community members who come to our institutions from across the state and around the world and bring a variety of perspectives and experiences.

The guidance in these FAQs is intended to be broad and will not cover every specific situation or nuance that occurs in UT System's 14 institutions. Institutions should continue to seek legal advice from their institution's legal office as questions arise.

II. GENERAL BILL PROVISIONS

A. Restrictions

1. What specific restrictions are included in SB 17? [1]

DEI offices are prohibited.

An institution of higher education (institution) cannot maintain a "diversity, equity, and inclusion [DEI] office," which is defined as an institution office, division, or other unit established for the purpose of:

(1) influencing hiring or employment practices at the institution with respect to race, sex, color, or ethnicity, other than through the use of color-blind and sex-neutral hiring processes in accordance with any applicable state and federal antidiscrimination law;

(2) promoting differential treatment of or providing special benefits to individuals on the basis of race, color, or ethnicity;

(3) promoting policies or procedures designed or implemented in reference to race, color, or ethnicity, other than policies or procedures approved in writing by the institution's chief legal officer, UT System Office of General Counsel (UT System OGC), and the Texas Higher Education Coordinating Board (THECB), and for the sole

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[1] Excepted from the statutory prohibitions included in this FAQ are actions, trainings, policies, procedures, programs, and activities required by federal law.

purpose of ensuring compliance with any applicable court order or state or federal law; or

(4) conducting trainings, programs, or activities designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, other than trainings, programs, or activities developed by an attorney and approved in writing by the institution's chief legal officer, UT System OGC, and the THECB, and for the sole purpose of ensuring compliance with any applicable court order or state or federal law.

<u>Performing the duties of a DEI office is prohibited.</u>

Institutions also cannot hire or assign an employee of the institution or contract with a third party to perform the above-enumerated prohibited duties of a DEI office.

<u>DEI statements are prohibited.</u>

No unit of an institution can compel, require, induce, or solicit any person to provide a DEI statement or give preferential consideration to any person based on the provision of a DEI statement.

<u>Giving preference on the basis of race, sex, color, ethnicity, or national origin is prohibited.</u>

No unit of an institution can give preference on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution.

<u>Mandatory DEI trainings in connection with any institution function are prohibited.</u>

No unit of an institution can require as a condition of enrolling at the institution or performing any institution function any person to participate in DEI training.

2. **What does it mean for an office, division, or unit to be "established for the purpose of" performing the prohibited duties listed above?**

Institutions must carefully review the purposes, duties, and missions of existing offices, divisions, and units to evaluate whether they are established for the purpose of performing any of the four enumerated prohibited duties that DEI offices are prohibited from performing. Similarly, institutions must determine whether individuals are "hired or assigned" for the purpose of performing any of the four enumerated prohibited DEI office, division, or unit duties.

UT System recognizes that existing offices', divisions', and units' or currently employed individuals' or contractors' portfolios or job descriptions may include one or more of the four enumerated prohibited duties as well as other, non-DEI-related duties. Those offices, divisions, units, and positions may continue to perform the non-DEI-related duties. However, institutions must evaluate whether and to what extent the following should be changed:

- Office, division, and unit names, portfolios, mission statements, and related communications, policies, and procedures; and

- Individuals' position titles and job descriptions, duties, and responsibilities.

These changes may result in the elimination of some offices, divisions, units, and positions.

Employees whose responsibilities or positions are eliminated through implementation of SB 17 may, if appropriate under the circumstances, be reassigned to a different position at the institution or invited to apply for a different position. Reassignment or reemployment under these circumstances should relate to a legitimate business need.

SB 17 states that an institution may provide to each employee in good standing at the institution whose position is eliminated as a result of the implementation of the bill a letter of recommendation for employment for a position at the institution or elsewhere.

3. **What is a "special benefit" in the context of a DEI office?**

SB 17 does not define "special benefit." UT System interprets "special benefit" to mean a term, condition, opportunity, or privilege that is unavailable, or substantially better than what is available, or provided to others. Opportunities open to all do not become a "special benefit" because a particular individual or group takes advantage of such opportunity. For example, use of institution space reserved in accordance with the institution's ordinary processes is not a "special benefit."

4. **How does SB 17 restrict training?**

SB 17 includes three restrictions related to training:

(1) An institution office, division, or unit cannot conduct training designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation ("DEI training");

(2) An institution cannot hire or assign an employee or a contractor to conduct DEI training;

(3) An institution cannot require a person to participate in DEI training as a condition of enrolling or performing any function at the institution ("mandatory DEI training").

The training prohibition does not apply to training designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation when it is (1) developed by an attorney; (2) approved in writing by the institution's chief legal officer, UT System OGC, and the THECB; and (3) for the sole purpose of ensuring compliance with any applicable court order or state or federal law.

5. **May a student or employee participate in voluntary DEI training offered by an outside resource?**

Generally, yes. SB 17 does not restrict a student or employee from voluntarily participating in non-institution DEI training offered by an outside resource provided the institution has not contracted with the outside resource to provide DEI training. An institution may continue to offer a library of professional development trainings—similar to LinkedIn Learning—even if the

library includes individual DEI training modules. Such professional resources have multiple topics related to overall professional development, and the institution is not contracting with the training provider to conduct impermissible DEI trainings.

Participation by students and employees must be truly voluntary. A supervisor, instructor, or administrator should not track participation in a voluntary DEI training. Further, they cannot give any type of preference, beneficial consideration, or consequence (positive or negative), no matter how informal, to students and employees based on whether they participate in voluntary DEI trainings with an outside resource.

An institution cannot require any person to participate in DEI training with an outside resource in order to perform any institution function, including voluntary participation in college or department hiring committees.

6. **What is a DEI statement?**

A "DEI statement" is a written or oral statement of a person's commitment to (1) furthering diversity, equity, and inclusion based on race, color, ethnicity, national origin, sex, gender identity and/or sexual orientation or (2) promoting differential treatment of or providing special benefits to individuals based on their identification as a member of one or more of these classifications.[2]

A "DEI statement" does not include a non-discrimination statement, which typically explains federal and state law obligations, and does not include information submitted in connection with HUB certification.

7. **In the context of a person providing a DEI statement, what does it mean to give "preferential consideration?"**

"Preferential consideration to any person" who provides a DEI statement means treating one person more favorably than another because they provided a DEI statement or because the content expresses a particular viewpoint regarding DEI.

8. **Does SB 17 require institutions to expressly prohibit applicants for employment or admission from providing a DEI statement?**

No, SB 17 does not require institutions to expressly prohibit applicants for employment or admission from providing DEI statements in job postings, applications, or other stages of the hiring or admissions processes. If an applicant provides an unsolicited DEI statement, institutions cannot give preferential consideration based on the provided DEI statement.

9. **What is the appropriate response or course of action if an applicant for employment or admission provides an unsolicited DEI statement?**

To the extent possible, institutions should remove any unsolicited DEI statements from an applicant's application materials before the application is provided to the relevant search

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[2] Throughout the FAQs, "classification" refers to race, sex, color, ethnicity, national origin, gender identity, and/or sexual orientation in the applicable bill section.

committees, admissions committees, consultative committees, and decisionmaker(s). If not removed, any unsolicited statement must not be considered positively or negatively.

10. **What does it mean to "give preference on the basis of" the listed classifications in "any function of the institution?"**

To "give preference on the basis of" a classification means to treat one person more favorably than another, in any respect, because of that classification. "Function" is expansive and includes an institution's employment, academic, and service functions.

11. **What is a "DEI training?"**

"DEI training" includes a training designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation.

"DEI training" does not include a training (1) developed by an attorney; (2) approved in writing by the institution's chief legal officer, UT System OGC, and the THECB; and (3) provided for the sole purpose of ensuring compliance with any applicable court order or state or federal law.

B. Requirements

1. **Does SB 17 require institutions to adopt specific policies or procedures?**

Yes, institutions must adapt current disciplinary policies and procedures applicable to employees and contractors to include that engaging in prohibited conduct may lead to appropriate discipline, including termination.

C. Exceptions

1. **Are there any exceptions to the restrictions described above?**

Yes, there are exceptions. The restrictions do not apply to:

(1)   academic course instruction;

(2)   scholarly research or a creative work by an institution's students, faculty, or other research personnel or the dissemination of that research or work;

(3)   an activity of a student organization registered with or recognized by an institution;

(4)   guest speakers or performers on short-term engagements;

(5)   a policy, practice, procedure, program, or activity to enhance student academic achievement or postgraduate outcomes that is designed and implemented without regard to race, sex, color, or ethnicity;

(6)   data collection; or

(7)   student recruitment or admissions.

Institutions, and their contractors, shall not circumvent SB 17's prohibitions against conducting the duties of a DEI Office by using a statutory exception to accomplish those prohibited duties. For example, an institution should not contract with an individual or organization in the business of providing DEI trainings to conduct a prohibited DEI training and frame the training provider as a "guest speaker on a short-term engagement."

UT System maintains its commitment to academic freedom, freedom of speech, and freedom of expression, in order to promote open inquiry and expand knowledge at is institutions.

2. **How does SB 17 impact "academic course instruction?"**

SB 17 specifically states that the bill's restrictions do not apply to academic course instruction. Faculty retain academic freedom in how they provide instruction in their assigned courses, curriculum, practicums, seminars, clinical rotations, executive education programs, and any other academic instructional or clinical training setting.

3. **Does SB 17 define how the "scholarly research" and "creative work" exception applies?**

SB 17 specifically states that the bill's restrictions do not apply to "scholarly research or a creative work by an institution's students, faculty, or other research personnel or the dissemination of that research or work," but the bill does not define either term.

"Scholarly research" may include research conducted by a student, faculty, or research personnel in their respective field under generally accepted scientific standards (e.g., systems in place to ensure the quality and accuracy of hypotheses, methods, data, and findings, such as in a peer reviewed or refereed publication). Grant applications to support research that are submitted by an institution's students, faculty, or other research personnel are part of the research process and within this exception to SB 17's prohibitions.

"Scholarly research" also may include systematic inquiries by a student, faculty, or research personnel in their respective field. Systematic inquiry includes the collection of data, documentation of critical information, and analysis and interpretation of that data/information in accordance with suitable methodologies set by specific professional fields or disciplines. "Scholarly research" may be intended to develop or contribute to generalizable knowledge.

UT System interprets "creative work" consistent with UT System's Regents' Rules and state and federal law. "Creative work" may include academic work product of an innovative or interpretive nature. "Creative work" may also include non-research written material created for publication and grant submissions seeking funding for research, instructional, or other activities.

Programmatic components directly related to and part of the scholarly research or creative work and proposed in a grant submission are deemed scholarly research or creative work and not subject to the SB 17 prohibitions.

"Research personnel" may include any non-faculty staff or trainee with assigned job responsibilities related to research based on the employment or academic training position they hold at an institution, including individuals who serve on institutional review boards.

As discussed above, "scholarly research" and "creative work" can take many forms, and this answer is not intended to be exhaustive.

4. **How does SB 17 impact guest speakers and performers?**

SB 17's prohibitions do not apply to guest speakers or performers on short-term engagements. An institution may host guest speakers and performers under its usual policies and rules on a short-term basis for limited duration events not to exceed the customary length for such speaking and performance events. UT System maintains its commitment to freedom of speech and expression at its institutions to promote open inquiry and expand knowledge.

5. **What are the permissible uses of collected data?**

SB 17 restrictions do not apply to data collection. SB 17 includes other exceptions that may be related to the use of collected data, e.g., academic course instruction, scholarly research, creative work, student academic achievement and postgraduate outcomes designed and implemented without regard to race, sex, color, or ethnicity, and student recruitment and admissions. In addition to considering the applicability of these exceptions, the intended use of collected data should be analyzed to ensure that it otherwise is permissible under SB 17 and consistent with any applicable federal and state law.

III. HIRING PROCESSES

A. Job Postings

1. **Does SB 17 limit the methods used for posting open positions?**

No, this bill does not prohibit institutions from posting for jobs in a wide variety of forums.

2. **Is it permissible for a job posting to include preferences for language proficiency or experience working with a specific population?**

Yes, if the preference is job-related and not intended to target applicants based on protected classifications.

B. Applicant Pools

1. **Does SB 17 limit an institution's ability to ensure meaningful and sufficient efforts are made to accomplish a diverse applicant pool?**

No, as long as those efforts otherwise comply with the law's requirements. When developing strategies to impact the composition of applicant pools, the focus should be on conducting a broad initial search, including nontraditional outreach and recruitment efforts, and any other initiatives that could reasonably impact the pool composition. If a hiring decision maker is dissatisfied with efforts to achieve a diverse applicant pool, it is permissible for the decision

maker to go back to the individual or group responsible for developing the pool (such as Human Resources, the search committee chair, or a search firm) with the determination that the search efforts were not meaningful or they were otherwise insufficient. In such an instance, a corresponding request to increase the pool size may be made. The decision maker may not request that the pool be increased to deliver more applicants of a specified classification.

C. Faculty Hiring Committee Training

1. How does SB 17 impact training for faculty hiring committees?

It is recommended that faculty hiring committees be trained on SB 17 provisions related to hiring. Hiring committee trainings may cover implicit bias if either the content is not designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation or if the training complies with the required approvals for trainings referencing these attributes. Any training designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation must be developed by an attorney, approved by the institution chief legal officer, System OGC, and THECB, and for the sole purpose of complying with a court order or state or federal law.

D. Application and Interview Questions

1. What are guidelines for questions that may be asked of applicants in the hiring process, both on applications and in interviews?

If appropriate for the job, applicants may be asked about their experience teaching first-generation college students, low-income students, or underserved student populations. Such questions are permissible because they assist the institution in identifying the most qualified candidate for the job. An institution may not compel, require, induce, or solicit any person to provide a "DEI statement" as defined above.

A better practice is to ask questions that do not categorize students or employees by classification. For example, applicants could be asked:

- What is your experience in/philosophy about/plan for supporting students?
- How do you reach students where they are?
- How have you been effective reaching students of different backgrounds?
- Describe your teaching philosophy.
- What is your experience working with or caring for patients with different backgrounds?

If a job applicant volunteers information relevant to the position in an interview about their experience with or philosophy about teaching or caring for first-generation college students, low-income students or patients, or underserved populations and/or explicitly references teaching or caring for individuals identified by race, color, sex, ethnicity, national origin, gender identity or sexual orientation, that information may be considered because it is not a "DEI statement."

IV. TRAININGS, PROGRAMS, AND ACTIVITIES

A. Trainings

1. **May students, faculty, or staff be assigned training as a sanction for a Title IX or Title VII violation?**

   Generally, yes. Trainings required of students, faculty, or staff as a sanction for violating institutional policies regarding Title IX and Title VII compliance may be permissible if they are designed to educate recipients on compliance with institution policies.

B. Programs and Activities

1. **Are programs and activities designed or implemented in reference to sex permissible?**

   Yes. Programs and activities designed for women or men that are otherwise lawfully implemented remain permissible. Such programs and activities should comply with existing state and federal law. Examples of such permissible programs and activities include men's and women's athletics programs and single-sex dormitories. Academic interest groups like Women in STEM are permissible when such programs openly allow participation by both women and men.

2. **Are programs or activities associated with federally- and state-recognized heritage and history days and months, such as Black History Month, Juneteenth, Pride Month, Hispanic Heritage Month, and others permitted?**

   Yes, SB 17's "programs or activities" do not include institutional participation in federally-and state-recognized history days and months. Such activities are designed or implemented in reference to national and state traditions and history. An institution's participation should be through a history-focused lens to further the educational mission of the institution. Any programs or activities associated with federally- and state-recognized heritage and history days or months must be open to all who want to participate.

3. **To what extent are patient healthcare and health and wellness initiatives impacted by SB 17?**

   SB 17 does not impact the provision of healthcare to patients or student and employee health and wellness initiatives. Healthcare is individualized and is primarily designed and implemented in regard to health care needs even though, in limited circumstances, it may also include reference to some classifications listed in SB 17 to meet the applicable standard of care. Examples include, but are not limited to, therapy organized around gender identity or sexual orientation, employee and student wellness programs, and education regarding health risks and issues.

4. **Are identity-based employee resource groups (affinity groups) permissible, and, if so, may staff be assigned to support them?**

   Yes, when certain conditions are present. Employee resource groups typically consist of employees with a common background or a common set of interests. Identity-based groups

must be open to all interested participants and receive similar treatment as and benefits available to other employee groups. An institution may adopt rules governing the activities of its employee resource groups, which include identity-based resource groups.

Staff may be assigned to support employee resource groups generally. Any support for identity-based employee resource groups should be the same support provided to all employee resource groups.

5. **May institutions maintain memberships in outside organizations that are identity-based and/or have a DEI-focused mission?**

Yes. An institution may maintain membership with an outside organization that is identity-based or has a DEI-focused mission when (1) the institution is permitted to and selects its individual members or participants based on identity-neutral criteria; and (2) participation in the organization is not conditioned on participants submitting a DEI statement.

6. **May institution faculty and staff maintain memberships in outside organizations, such as professional organizations, that are identity-based and/or have a DEI-focused mission?**

Yes. An institution faculty or staff member may maintain membership with an outside organization that is identity-based, such as an association for women in healthcare professions, or has a DEI-focused mission, such as promoting diversity in a certain field of study.

7. **Are institution employees prohibited from doing consulting work or other outside work involving DEI?**

No. SB 17's "programs and activities" do not encompass work or activities performed outside of a staff or faculty member's scope of employment with the university and are not prohibited by SB 17.

C. Student Organizations

1. **SB 17 states that its restrictions may not be construed to apply to an activity of a registered or recognized student organization.**[3] **What is considered an "activity" of a student organization?**

SB 17 does not define "activity." UT System interprets the term broadly to encompass all functions of a student organization.

2. **May an institution employee be assigned or volunteer to serve a registered identity-based student organization, e.g., as a faculty advisor?**

Yes, an institution's employee may provide the same level of administrative support to identity-based registered student organizations as it provides to all registered student organizations. Serving in this context is not one of the prohibited DEI-related duties. An identity-based registered student organization would not be receiving differential treatment or a special

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[3] Because UT System and UT institutions typically use the term "registered student organization" (see e.g., Regents' Rule 50202), the FAQs will refer to student organizations using this term, but any answer that refers to "recognized student organizations" also applies to "registered student organizations."

benefit because institution employees also are assigned to serve registered student organizations that are not identity-based.

3. **May staff and faculty be members of a student organization?**

   Yes. UT System Regents' Rule 50202 permits faculty and staff to be members of student organizations and does not violate SB 17 prohibitions.

4. **May an institution provide funding to a registered student organization that is organized in reference to race, color, ethnicity, gender identity, or sexual orientation?**

   Yes, if provided to all student organizations in a neutral manner without regard to the specified classifications. Student activity fees may be used for all registered student organizations. Institutions should continue to allocate student activity fees in accordance with state law and university policy. Allocating student activity fees to a registered student organization is not a "special benefit" and does not negate the application of the bill's exception if such funds are made available to all registered student organizations. Student organizations also are allowed to raise funds independently. Other institutional funds that are not from student activity fees, if used to support student activities, must be implemented in a neutral manner without regard to race, color, ethnicity, gender identity, or sexual orientation.

5. **How is a student organization's status as a sponsored student organization impacted by SB 17?**

   Student organizations that hold registered student organization status pursuant to an institution's rules and polices are exempted from the prohibitions of SB 17. Sponsored student organizations often maintain significant institutional funding, are permitted to use the institution's name, and have dedicated staff not provided to regular registered student organizations. Depending on the level of institutional control and the institution's policies and practices, the programs and activities of a sponsored student organization may be subject to the bill's prohibitions.

V. ACCREDITATION AND GRANTS

A. Statements in connection with accreditation and grants

1. **What provisions does SB 17 include regarding statements institutions may make in the context of grants and accreditations?**

   For purposes of applying for a grant or complying with the terms of accreditation by an accrediting agency, institutions and their employees are not limited or prohibited from submitting to the grantor or accrediting agency a statement that:

   (1) highlights the institution's work in supporting:

       (A) first-generation college students;

       (B) low-income students;

       (C) underserved student populations; or

(2) certifies compliance with state and federal antidiscrimination laws.

2. **What does "underserved" mean in the context of submitting a statement to a grantor or accrediting agency highlighting the institution's work in supporting underserved student populations?**

SB 17 does not define "underserved." Generally, the term can be understood to refer to groups that have limited or no access to resources, such as educational opportunities and healthcare services.

B. Accreditation

1. **How should an institution respond to an accrediting agency's question if it appears that the agency requires the institution to engage in conduct or activities or make statements that may violate SB 17?**

Institutions should collaborate with accrediting agencies to determine what is required.

Institutions may make statements that highlight the institution's work in supporting first-generation college students, low-income students, and underserved populations. Institutions also should consider whether one of the exceptions applies. For example, an institution may engage in training, programming, and activities related to student recruitment and admissions.

2. **How may an institution respond to accrediting agency prompts and questions on diversity?**

In preparing a response to accrediting agency prompts on diversity, the institution should try to address the specific question being asked while highlighting SB 17-compliant diversity efforts.

Although SB 17 prohibits DEI offices and certain trainings, programs, and activities, institutions may continue many initiatives that both satisfy accrediting agency diversity priorities and comply with SB 17. SB 17 also specifically authorizes institutions to make certain statements for accreditation and includes exceptions from its broader DEI prohibitions, including an exception for student recruitment and admissions.

Permissible responses may emphasize some or all of the following:

- The institution's/program's compliance with state and federal antidiscrimination statutes;
- Work to support first generation college students, low-income students, and underserved student populations;
- Efforts or initiatives to recruit and admit students of diverse backgrounds and geographic locations and the results of those efforts or initiatives;
- The general diversity of the institution's surrounding community, and, in the case of health-related institutions, the diversity of the institution's patients; and
- Programs or efforts consistent with the particular accrediting agency's identified, SB17-neutral diversity priorities.

3. **Prior to the passage of SB 17, in the interest of addressing accreditation agency DEI standards, one approach that institutions and programs took was to assign DEI-related responsibilities to a faculty, administration, or staff member, which often included adding DEI or similar terms to their titles, such as Vice Chair of Diversity, Equity and Inclusion. Are institutions and programs required to change such responsibilities and titles?**

   All job responsibilities and titles should be reviewed to determine compliance with SB 17. Job titles shall not include the terms diversity, equity, and inclusion.

4. **What are appropriate measures/metrics that institutions may use for data collection and data reporting as part of accreditation, e.g., for LCME and ACGME?**

   SB 17 restrictions do not apply to data collection.

VI. MISCELLANEOUS

A. Scholarships

1. **May institutions continue to honor student scholarships established by donors for the specific benefit of underrepresented or minority students?**

   The US Department of Education regulations enforcing Title VI prohibit discrimination in the administration of financial aid programs. Specifically, they prohibit a recipient, on the basis of race, color, or national origin, from denying financial aid; providing different aid; subjecting anyone to separate or different treatment in any matter related to financial aid; restricting the enjoyment of any advantage or privilege enjoyed by others receiving financial aid; and treating anyone differently in determining eligibility or other requirements for financial aid. 34 CFR 100.3(b)(1); see also 34 CFR 100.3(b)(2). SB 17 does not affect these federal requirements. Scholarships based on race, color, or national origin should be carefully reviewed by the institution's legal office to determine compliance with the law.

VII. IMPLEMENTATION

A. Certification and Compliance

1. **Who is responsible for certifying institutional compliance?**

   Institution presidents are responsible for certifying to the chancellor their institution's compliance.

2. **Are institutions required to adopt policies and procedures related to SB 17 implementation and compliance?**

   Institutions should adopt and communicate policies, procedures, or other guidance to implement the requirements of SB 17 and to educate community members on permitted and prohibited activities.

3. **If I have questions about how to comply with certain provisions of SB 17, what resources are available to me?**

   Institutions should establish and communicate the applicable policy, procedures, or other guidance to achieve compliance within their various institution constituencies. For example, institutions may wish to identify one or more points of contact that various constituencies may consult with compliance questions. Institutions should continue to seek legal advice from their institution's legal office as new questions arise regarding whether SB 17 applies to an intended training, program, or activity.

B. Timing

1. **May trainings, programs, and activities that appear to be affected by SB 17 be held prior to the 1/1/24 effective date?**

   Institutions are expected to use good faith efforts to fully comply with SB 17 by the statutory deadlines.