

2SHB 1783 - H AMD

By Representative Gregerson

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

3
4 NEW SECTION. Sec. 1. The legislature finds that the population
5 of Washington state has become increasingly more diverse over the
6 last several decades. In 2010, people of color comprised only ten
7 percent of the overall population. Today, the percentage of people
8 of color has more than doubled, and it is projected that, by 2050,
9 people of color will comprise as much as half of Washington's
10 population.

11 The legislature finds that as the demographics of our state
12 change, people of color and other historically marginalized
13 communities continue to not meet parity with their white
14 counterparts across nearly every measure including education,
15 poverty, employment, health, and more. Inequities based on race,
16 ethnicity, and gender continue to be deep, pervasive, and
17 persistent, and they come at a great economic and social cost. When
18 individuals face barriers to achieving their full potential, the
19 impact is felt by the individual, their communities, businesses,
20 governments, and the economy as a whole in the form of lost wages,
21 avoidable public expenditures, and more.

22 The legislature finds that a more inclusive Washington is only
23 possible if agencies identify and implement effective strategies to
24 eliminate systemic inequities. Achieving equity requires a
25 commitment to bold action. It begins with the acknowledgment of
26 historical systems of institutional racism and oppression that have
27 led to the uneven distribution of benefits and burdens in our

1 communities. Racism is ingrained in our history and deeply embedded
2 in our institutions, affecting all sectors. An equitable decision-
3 making process by agencies prioritizes community-led solutions,
4 driven by those most affected. Generational healing takes time and
5 requires individuals to embrace discomfort and practice humility.
6 Achieving equity ensures that the public has full access to the
7 opportunities, power, and resources they need to flourish and meet
8 their full potential.

9 The legislature finds that over the years, significant strides
10 have been made within agencies to address the disparate outcomes
11 faced by communities of color. While these efforts have yielded
12 positive work, the legislature finds that the work happening in
13 agencies is fragmented across state government. Additionally,
14 smaller agencies may not have the resources necessary to identify
15 and implement policies to address inequities based on race and
16 ethnicity.

17 The legislature finds that state government must identify and
18 coordinate effective strategies that focus on eliminating systemic
19 barriers for certain racial and ethnic groups, including women of
20 color. To support this objective, an office of equity will assist
21 government agencies to consider race, ethnicity, gender, and
22 equitable impacts in all aspects of their decision-making including
23 services, programming, policy development, budgeting, staffing, and
24 more. Doing so will foster a culture of accountability within state
25 government that promotes opportunity for our most vulnerable
26 communities.

27
28 NEW SECTION. **Sec. 2.** The definitions in this section apply
29 throughout this chapter unless the context clearly requires otherwise.

30 (1) "Agency" means every state executive office, agency,
31 department, or commission.

32 (2) "Director" means the director of the Washington state office
33 of equity.

34 (3) "Office" means the Washington state office of equity.

1 NEW SECTION. Sec. 3. (1) Effective July 1, 2020, the Washington
2 state office of equity is created within the office of the governor
3 for the purpose of promoting access to equitable opportunities and
4 resources that reduce disparities, including racial and ethnic
5 disparities, and improve outcomes statewide across all sectors of
6 state government.

7 (2) The vision statement of the office is ____.

8 (3) The mission statement of the office is ____.

9

10 NEW SECTION. Sec. 4. (1) The office shall be administered by a
11 director, who shall be appointed by, and report to, the governor. The
12 director must receive a salary as fixed by the governor in accordance
13 with RCW 43.03.040.

14 (2) The director shall:

15 (a) Employ and supervise staff as necessary to carry out the
16 purpose of this chapter and the duties of the office;

17 (b) Oversee the administration, programs, and policies of the
18 office in accordance with the vision statement and mission statement
19 adopted in accordance with section 3 of this act;

20 (c) ***Serve as the liaison for the office to the governor's***
21 ***commission on diversity, equity, and inclusion created under RCW***
22 ***43.06.500.***

23

24 NEW SECTION. Sec. 5. (1) The work of the office as described in
25 this section shall be guided by the principle of equity, which is
26 the pathway to wellbeing that allows each person to thrive. It is an
27 evolving, community-centered journey toward healing that requires
28 shifting power to disrupt and dismantle deeply entrenched systems of
29 privilege and oppression. Equity allows the fullest expression of
30 dignity, honor, and respect that we all deserve.

31 (2) The office shall work to facilitate policy and systems
32 change to promote equitable policies, practices, and outcomes
33 through:

34

Commented [OD1]: Given Referendum 88, does the task force want to include provisions of I-1000 in this striker?

Commented [OD2]: This is the task force's definition of "equity", but rephrased as a principle that the Office must follow to guide its work, rather than a definition.

1 (a) **Policy development.** The office shall assist agencies to
2 consider race, ethnicity, gender, and equitable impacts in all
3 aspects of agency decision-making, including but not limited to the
4 services delivered and the manner in which services are delivered,
5 programming, policy development, and budgeting, by:

6 (i) Facilitating information sharing between agencies around
7 diversity, equity, and inclusion issues;

8 (ii) Developing and providing to agencies assessment tools for
9 agencies to use in the development and evaluation of agency
10 programs, services, policies, and budgets;

11 (iii) Training agency staff on how to effectively use the
12 assessment tools developed under (a)(ii) of this subsection,
13 including developing guidance for agencies on how to apply an equity
14 lens or framework to the agency's work when carrying out the
15 agency's duties under this chapter;

16 (iv) Developing, by rule, a form that will serve as each
17 agency's diversity, equity, and inclusion plan, required to be
18 submitted by all agencies under section 7 of this act, for each
19 agency to report on its work in the area of diversity, equity, and
20 inclusion. The office must develop the format and content of the
21 plan and determine the frequency of reporting. The office shall post
22 each agency plan online.

23 (v) Maintaining an inventory of agency work in the area of
24 diversity, equity, and inclusion; and

25 (vi) Collaborating with the governor's office of Indian affairs
26 to _____;

27 (b) **Community outreach and engagement.** The office shall:

28 (i) Staff the community advisory board created under section 6
29 of this act;

30 (ii)(A) In collaboration with the agencies described in (ii)(B)
31 of this subsection, identify policy and system barriers to
32 meaningful engagement with communities in all aspects of agency
33 decision-making and examine and recommend strategies to agencies on:

34 (I) Policies and practices concerning language access; and

Commented [OD3]: This language is in lieu of language around the interagency equity workgroup.

Commented [OD4]: New language from Yoshi.

1 (II) How to improve community outreach and engagement, and
2 include consideration of community needs and feedback, in all
3 aspects of agency decision-making;

4 (B) When identifying barriers and establishing strategies as
5 described in (ii)(A) of this subsection, the office shall
6 collaborate with the following agencies: commission on African-
7 American affairs, commission on Asian Pacific American affairs,
8 commission on Hispanic affairs, governor's office of Indian affairs,
9 human rights commission, LGBTQ commission, and any other agency the
10 office deems necessary;

11 (iii) Periodically consult community stakeholders regarding the
12 principle of equity, as described in subsection (1) of this section,
13 and recommend modifications to the appropriate committees of the
14 legislature as necessary;

15 (c) **Training on maintaining a diverse, inclusive, and culturally**
16 **sensitive workforce.** The office shall collaborate with the office of
17 financial management and the department of enterprise services to
18 develop policies and provide technical assistance and training to
19 agencies on maintaining a diverse, inclusive, and culturally
20 sensitive workforce;

21 (d) **Data maintenance and establishing performance metrics.** The
22 office shall:

23 (i) Collaborate with results Washington and agencies to:

24 (A) Establish standards for the collection, analysis, and
25 reporting of disaggregated data regarding race and ethnicity,
26 including subracial and subethnic populations as it pertains to
27 tracking population level outcomes, except as provided under (d)(ii)
28 of this subsection;

29 (B) Create agency-specific performance measures:

30 (I) Using outcome-based methodology to determine the
31 effectiveness of agency programs and services on reducing
32 disparities; and

33 (II) Taking into consideration community feedback, as necessary,
34 on whether the performance measures established accurately measure

Commented [OD5]: I modified this language to conform with the change in the definition of equity language. Does this still meet the task force's intent?

1 the effectiveness of agency programs and services in the communities
2 served; and

3 (C) Create an online performance dashboard to publish agency
4 performance measures and outcomes;

5 (ii) Collaborate with the office of financial management to:

6 (A) Identify workforce data standards and gaps in _____; and

7 (B) Establish messaging around uses for workforce data.

8 (e) **Accountability.** The office shall:

9 (i) Publish a report for each agency detailing whether the
10 agency has met the performance measures established pursuant to
11 (2)(d) of this subsection and the effectiveness of agency programs
12 and services on reducing disparities. The report must include, at a
13 minimum: the agency's strengths and accomplishments, areas for
14 continued improvement, and areas for corrective action. The office
15 shall post each report online;

16 (ii) Establish, by rule, a process for the office to report on
17 agency performance in accordance with (e)(i) of this subsection and
18 a process for agencies to respond to the report. The agency's
19 response must, at minimum, include the agency's action plan to
20 address areas for improvement and corrective action and a timeline
21 for the action plan; and

22 (iii) *Placeholder for consequences for non-compliance/ non-*
23 *improvement, and recognition of accomplishments..*

24 (3) The director and the office shall consider the
25 recommendations submitted pursuant to section 221, chapter 415, laws
26 of 2019, by the task force established under section 221, chapter
27 415, laws of 2019, when carrying out the duties prescribed under
28 this act.

29
30 NEW SECTION. Sec. 6. (1) A community advisory board is created
31 within the office to advise the office on _____.

32 (2) Advisory board members must be appointed by _____ as follows:

33 (3) Advisory board members serve for a term of _____.

34 (4) The advisory board shall _____.

Commented [OD6]: Placeholder. What is the scope of this work?

Commented [OD7]: Standards for what specifically? Gaps in what? For example, standards and gaps in collection of data, analysis, reporting, anything else?

Commented [OD8]: What does messaging mean? Is this more about education around what data is needed and how it will be used?

Commented [OD9]: How does the task force envision compliance? How would this be implemented?

Commented [OD10]: Who are the members, who appoints?

Commented [OD11]: How long do members serve?

Commented [OD12]: What are the duties of the board?

1 (5) The advisory board is staffed by the office.

2 (6) Board members shall be entitled to compensation pursuant to
3 RCW 43.03. for each day spent conducting official business and to
4 reimbursement for travel expenses as provided by RCW 43.03. .

5 (7) The advisory board may adopt bylaws for the operation of its
6 business for the purposes of this chapter.

7

8 NEW SECTION. Sec. 7. Each agency shall:

9 (a) Designate an agency diversity, equity, and inclusion liaison
10 to serve as the liaison between the agency and the office.

11 (b) Apply an equity lens, as developed by the office in accordance
12 with section 5 of this act, to assess existing and proposed agency
13 policies, services and service delivery, practices, programs, and
14 budget decisions using the assessment tools developed by the office
15 pursuant to section 5 of this act;

16 (c) Develop and submit a diversity, equity, and inclusion plan to
17 the office, in accordance with section 5 of this act;

18 (d) Collaborate with the office to establish performance measures
19 in accordance with section 5 of this act;

20 (e) Provide data and information requested by the office in
21 accordance with standards established pursuant to section 5 of this
22 act; and

23 (f) Submit a response to the office's report on agency
24 performance, pursuant to subsection (e) of section 5 of this act.

25

26 NEW SECTION. Sec. 8. The office may:

27 (1) Compile and create resources for agencies to use as guidance
28 when carrying out the requirements under section 7 of this act;

29 (2) Provide technical assistance to agencies;

30 (3) Receive and solicit gifts, grants, and endowments from public
31 or private sources that are made for the use or benefit of the office
32 and to expend the same or any income therefrom according to their
33 terms and the purpose of this chapter. The office's director must
34 report funds received from private sources to the office of financial

1 management on a regular basis. Such funds received from private
2 sources may not be applied to reduce or substitute the office's budget
3 as appropriated by the legislature, but must be applied and expended
4 toward projects and functions authorized by this chapter that were not
5 funded by the legislature; and

6 (4) Adopt rules as necessary to implement the policy and purpose
7 of this chapter.

8

9 NEW SECTION. Sec. 9. Nothing in this act creates any right or
10 cause of action, nor may it be relied upon to compel the establishment
11 of any program or special entitlement.

12

13 NEW SECTION. Sec. 10. Sections 2 through 9 of this act constitute
14 a new chapter under Title 43 RCW.

EFFECT:

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