

FACT SHEET: SB 17 (DEI BAN)



Current Status: Goes into effect January 1, 2024

What is Senate Bill 17?

- SB 17 was passed during the 2023 Texas legislative session.
- It bans diversity, equity, and inclusion (DEI) offices and policies at public colleges and universities, and hiring or assigning anyone to work in such an office.
- It forbids mandatory DEI training, activities, or programs for faculty, students, and staff.
 - Policies, training, activities and programs about race, color or ethnicity may be approved only by both an institution's general counsel and Texas Higher Education Coordinating Board.
- It prohibits requiring or soliciting DEI statements or giving preferential consideration based on them.
- It bars giving preference on the basis of race, sex, color, ethnicity, or national origin to employment applicants, employees, or participants in institution functions.
- Even though the law does not take effect until January 1 and the spring semester, many public colleges and universities have already chosen to implement it by closing DEI offices and LGBTQIA+ resource centers across the state.

What are our concerns about the bill?

- SB 17 would forbid faculty, students, and staff from receiving critical training and services that help to prevent potentially discriminatory action and in ways that disadvantage students who come from historically marginalized backgrounds.
- The bill's ban against DEI initiatives in higher education would threaten the safety and well-being of college students and staff from marginalized communities by chilling their ability to speak or report on their lived experiences in a college setting.
- It will deprive students from all backgrounds of knowledge and resources about various aspects of diversity, equity, inclusion, and belonging.
- It will likely violate First Amendment rights (freedom of speech and expression) for students and staff, and Fourteenth Amendment rights (equal protection) for people of color, women and/or LGBTQIA+ students and staff. Some of the language is so vague or broad that it's impossible to confidently and consistently follow this law.

For those who may be impacted by SB 17:

- Know your rights: SB 17 is not supposed to directly target recruitment or admissions practices, student organizations, short-term guest speakers or performers, course instruction and scholarly research, creative work, data collection by faculty, **voluntary** DEI programming and training, statements about the institution's work supporting first-generation, low-income, or underserved student populations in grant or accreditation applications, or simply speaking about your experiences with DEI.
- Know how to speak up for the rights of others. If you are a student, parent, or educator, it is more important than ever to speak up for diversity, equity, and inclusion, and take steps to support the

most marginalized members of our community. Even if Texas lawmakers want to try to whitewash our history and pretend that racism, transphobia, sexism, and homophobia do not exist, we will continue speaking up and teaching the truth that our lawmakers are afraid of.

- Student groups can still invite speakers to discuss DEI issues.
- Schools can still offer voluntary DEI programming and training.
- Pay attention to state-level elections in 2024 and note which candidates support DEI programs and offices at public colleges and universities.
- If you become impacted by SB 17, reach out to us as soon as possible. We're here to support you.

Contact us:

ACLU of Texas - intake.aclutx.org

Equality Texas - info@EqualityTexas.org

Human Rights Campaign - feedback@hrc.org

Lambda Legal - lambdalegal.org/helpdesk

Texas Freedom Network - tfn@tfn.org

Transgender Education Network of Texas - info@transtexas.org

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