



WICHE



Western Interstate Commission
for Higher Education

Considerations of Race & Ethnicity in Higher Education Legislation in the West

Overview

- Legislation mentioning Critical Race Theory (CRT) in higher education.
 - **Idaho:** [HB 377](#) – Prohibits public institutions of higher education from directing or otherwise compelling students “to personally affirm, adopt, or adhere to” listed tenets the legislation notes are “often found in ‘critical race theory,’”
- Legislation directed at K-12 that directly or indirectly addresses concepts some associate with CRT.
 - Considered/adopted in multiple Western states.

Overview

- Other Western states have passed legislation addressing race and ethnicity in higher education in a different way.
 - **California:** [AB 1460](#) – California State University Ethnic Studies graduation requirement.
 - **Oregon:** [HB 2590](#) - Establishes an eight-member Task Force on Student Success for Underrepresented Students in Higher Education.
 - **Washington:** [SB 5227](#) – Requiring diversity, equity, inclusion, and antiracism training and assessments at institutions of higher education.

Appendix: Idaho – HB 377 Detail

(3) (a) No public institution of higher education, school district, or public school, including a public charter school, shall direct or otherwise compel students to personally affirm, adopt, or adhere to any of the following tenets:

- (i) That any sex, race, ethnicity, religion, color, or national origin is inherently superior or inferior;
- (ii) That individuals should be adversely treated on the basis of their sex, race, ethnicity, religion, color, or national origin; or
- (iii) That individuals, by virtue of sex, race, ethnicity, religion, color, or national origin, are inherently responsible for actions committed in the past by other members of the same sex, race, ethnicity, religion, color, or national origin.

Appendix: Washington – SB5227 Detail

- The legislature finds that developing and maintaining a culture of belonging and support for students, faculty, and staff at institutions of higher education is essential to student success, and that faculty and staff play a key role. The legislature therefore seeks to ensure that public institutions of higher education provide faculty and staff, as well as students, with training to give them tools to address matters related to antiracism, diversity, equity, and inclusion.