



EQUITY Federal Memo Guidance Executive Summary

Agencies should stay the course on their equity efforts.

1. Washington State's legally compliant policies are not discriminatory or so-called "illegal" DEI; we're innovating ways to better serve everyone who lives in Washington. Agencies should keep doing what they're doing by continuing to ensure their programs and activities are legally compliant, continuing to work to ensure all Washingtonians have fair access to opportunities and the resources and benefits available to them, and continuing to advance a Washington for All. The July 29 Bondi Memo is non-binding guidance.
2. Training and data analysis that help us understand historical context and the current needs of Washingtonians are still permissible, and necessary. So too is maintaining welcoming spaces for all employees and members of the public, as well as continuing legal hiring practices that are aimed at removing barriers for applicants.
3. Capabilities, criteria, and tools such as cultural competency, lived experience, and geographic targeting should not be seen as stand-ins for prohibited practices; they are necessary to better understand and serve everyone in our state.

Agencies should tie their equity efforts to the framework of targeted universalism.

1. Targeted universalism is a framework in which decisionmakers outline a universal goal, identify the barriers that different people and communities face to reach that goal, remove barriers, and in some situations create targeted strategies, that will help all groups reach that goal.
2. This does not mean that we provide benefits to one group in a way that disadvantages another group, but, instead, uplifts all communities through the use of strategies tailored to different needs.
3. Agencies should:
 - a. Collect and analyze group-level data to inform how we approach each group so they can fairly access the service or opportunity;
 - b. Use data to understand how the State may be unfairly disadvantaging groups of people leaving them further from the universal goal;
 - c. Meet with different communities around Washington to understand what the data means to them and what is needed in their community; and then
 - d. Remove those barriers.

Washington for All

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4. Based on what agencies learn, they should partner with organizations, governments, and other entities who can speak the language of the specific community (where relevant), who know where and how to connect with those groups of people, and who are trusted by those groups of people.

Agencies are still able to meet specific needs in ways that intersect with protected status (such as race, gender, and disability) depending on the relevant law and legal standards.

1. Agencies should consult with their assistant attorney(s) general regarding their specific factual and legal circumstances.

Agencies should keep in mind the below reminders as they use available methods.

1. Agencies can have organized employee affinity groups that are designed to support people with specific experiences. As always, the preferred structure of these groups is that they are open to all who wish to attend and should have clear communication about the expectations for participation.
2. Training sessions that address experiences of discrimination or seek to support specific groups are still permissible and should be open to attendees outside of the specific group.
3. Demographic data can and should still be collected to support the development of targeted strategies, but this data should have a clear purpose and scope of use. This data should be used to inform strategies, not set numerical or percentage-based quotas.
4. Programs that use data related to any protected characteristics should compare each characteristic against a clearly articulated universal goal. For example, if a program seeks to reduce homelessness rates and collects data on rates of homelessness for different racial groups, the data should not, for example, try to bring Latino or American Indian/Alaskan Native rates of homelessness in line with white rates of homelessness. Instead, the program should seek to bring both groups to the shared universal goal rate using thoughtful strategies.

