



**OFFICE OF THE UNIVERSITY GENERAL COUNSEL**

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**KYSU.EDU**

January 14, 2026

Hon. Stephen West, Co-Chair Interim  
Joint Committee on Education  
702 Capital Avenue Annex Room 228 Frankfort, KY 40601

Hon. Scott Lewis, Co-Chair  
Interim Joint Committee on Education  
702 Capital Avenue Annex Room 367B Frankfort, KY 40601

James Tipton, Co-Chair  
Interim Joint Committee on Education  
702 Capital Avenue Annex Room 313 Frankfort, KY 40601

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Kentucky State Capitol 700 Capital Avenue, Suite 118 Frankfort, KY 40601

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Dear Members of the Legislative Research Commission and Attorney General Coleman:

On behalf of Kentucky State University ("University"), and in accordance with Kentucky's Act Relating to Initiatives Regarding Diversity, Equity and Inclusion (the "Act"), enclosed is a supplemental report of the University detailing its compliance with the Act. Please refer to the Interim Joint Committee on Education, as appropriate.

Please let me know if you have any questions.

Sincerely,

*Nicole M Sergent*

Nicole M. Sergent

General Counsel

## KENTUCKY STATE UNIVERSITY SUPPLEMENTAL REPORT TO LRC AND ATTORNEY GENERAL

For its supplemental report to the Interim Joint Committee on Education and the Attorney General, Kentucky State University (“University”) submits the following to certify its compliance with House Bill 4 (“HB4”). This report details the status of the University’s compliance with each applicable provision, the steps taken to achieve compliance, and the guardrails established to ensure continued adherence.

As demonstrated in its July submission to the Budget Review Subcommittee and its September submission to the LRC and the Attorney General, the University is in compliance with HB4, now codified as KRS 164.2894 et seq. The University’s compliance with each provision of the Act is detailed below.

KRS 164.2895(1)(a): An institution shall not...[e]xcept as provided in subsection 2(n) and (o) of this section, provide any differential treatment or benefits to an individual, including a candidate or applicant for employment, promotion, contract, contract renewal, or admission, on the basis of the individual’s religion, race, sex, color, or national origin.

Response: The University is in compliance with this provision.

### Compliance Measures Taken

The Office of University Counsel has provided comprehensive training to key personnel regarding the institution’s obligations under KRS 164.2894 et seq., Title VI, Title VII, and Title IX. Furthermore, pertinent University policies and procedures, including Human Resources hiring protocols, have been updated to reflect this commitment.

Ongoing and Future Compliance Strategies to ensure future compliance. The University will provide annual guidance and supplemental training as needed for departments experiencing personnel changes. In addition to ongoing annual training, HB4-related questions and certifications will be added to the University’s Annual Disclosure Form, which must be completed each year by all University employees. These additions were made on or before December 1, 2025. Also, all new/incoming/current University Deans and Vice Presidents are required to complete annual comprehensive HB4 training and sign an HB4 compliance attestation.

KRS 164.2895(1)(b): An institution shall not...[d]iscriminate in student admissions on the basis of religion, race, sex, color, or national origin.

Response:

### Compliance Status

The University is in compliance with this provision and has been, since the U.S. Supreme Court’s 2023 ruling in *Students for Fair Admissions v. Harvard*.

### Compliance Measures Taken

The University provides comprehensive training to admissions staff regarding the SFFA ruling and the University's Title VI, Title VII, and Title IX obligations.

As a part of the HB4 compliance process, the Administration and Compliance reviews University practices and policies, and procedures and provides training in Admissions, Financial Aid, and scholarship administration to ensure compliance with HB4. Moreover, all University Deans and Vice Presidents have signed written attestations confirming their understanding of and adherence to relevant state law requirements. HB4-related questions and certifications will be added to the University's Annual Disclosure Form, which must be completed each year by all University employees. These additions will be made on or before December 1, 2025. Also, all new/incoming University Deans and Vice Presidents will be required to complete comprehensive HB4 training and sign an HB4 compliance attestation as a part of the onboarding process.

KRS 164.2895(1)(c): An institution shall not...[e]xcept as provided in subsection 2(l) of this section: 1. Impose any scholarship criteria or scholarship eligibility restriction on, or provide differential treatment or benefits to, a scholarship applicant, candidate, or recipient on the basis of an individual's religion, race, sex, color, or national origin; or 2. Execute or renew any legally binding restriction that would require an institution to consider the religion, race, sex, color, or national origin of a scholarship applicant, candidate, or recipient.

Response:

#### Compliance Status

The University is in compliance with this provision.

Compliance Measures Taken As a part of the HB4 compliance process, the Administration and Compliance reviewed University practices and policies, and procedures in Admissions, Financial Aid, and scholarship administration to ensure compliance with HB4.

All the University Deans and Vice Presidents have signed written attestations confirming their understanding of and adherence to relevant state law requirements. The Office of the Provost and the Office of University Counsel continue to work closely with the Foundation, donors, and other departments to update existing scholarship agreements to remove any preferences related to religion, race, sex, color, or national origin.

#### Ongoing and Future Compliance Strategies

As a primary guardrail to ensure continued compliance, the University has initiated the centralization of its scholarship administration, which will allow for enhanced monitoring of all scholarship practices to ensure they comport with state and federal law and guidance. In addition to ongoing annual training, HB4-related questions and certifications will be added to the University's Annual Disclosure Form, which must be completed each year by all University employees. These additions will be made on or before December 1, 2025. Also, all new/incoming University Deans and Vice Presidents will be required to complete comprehensive HB4 training and sign an HB4 compliance attestation as a part of the onboarding process.

KRS 164.2895(1)(d): An institution shall not...[p]rioritize or provide preferential consideration for vendors, contracts, or other transactions based upon the religion, race, sex, color, or national origin of the ownership, management, or staff of any business or nonprofit entity, except that the institution may provide preferential consideration for businesses owned by residents of Kentucky and the United States.

Response: Compliance Status

The University is in compliance with this provision.

#### Compliance Measures Taken

University compliance provided training to procurement personnel and edited solicitation language to ensure compliance.

#### Ongoing and Future Compliance Strategies

To ensure future compliance, the Office of Purchasing and University Counsel will continue to review solicitations and provide training as needed. In addition to ongoing annual training, HB4- related questions and certifications will be added to the University's Annual Disclosure Form, which must be completed each year by all University employees. These additions will be made on or before December 1, 2025. Also, all new/incoming University Deans and Vice Presidents will be required to complete comprehensive HB4 training and sign an HB4 compliance attestation as a part of the onboarding process.

KRS 164.2895(1)(e): An institution shall not...[m]ake student housing assignments on the basis of religion, sex, race, color, or national origin unless an exception is necessary to: 1. Maintain separate living facilities for members of a single biological sex; or 2. Permit need-based access to student housing facilities during school breaks, provided that room assignments are not implemented in a discriminatory manner or segregated by religion, race, color, or national origin.

Response:

#### Compliance Status

The University is in compliance with this provision. The University does not provide preferential or differential treatment to students seeking housing on the basis of religion, race, sex, color, or national origin, except for the provision of single-sex suites, which is exempted under HB4. The University also provides reasonable accommodations as required by the ADA and Section 504 of the Rehabilitation Act.

#### Compliance Measures Taken

As a part of the HB4 compliance process, the Policy Review Group reviewed University policies, procedures, programs, and trainings to ensure compliance with HB4. Representatives from the Office of the Provost and Student Affairs—the departments that oversee University housing— received extensive training. Moreover, all University Vice Presidents signed written attestations confirming their understanding of and adherence to relevant state law requirements.

#### Ongoing and Future Compliance Strategies

The Office of University Counsel provides guidance to Housing personnel as needed and will continue to do so to ensure future compliance. In addition to ongoing annual training, HB4- related questions and certifications will be added to the University's Annual Disclosure Form, which must be completed each year by all University employees. These additions will be made on or before December 1, 2025. Also, all new/incoming University Deans and Vice Presidents will be required to complete comprehensive HB4 training and sign an HB4 compliance attestation as a part of the onboarding process.

KRS 164.2895(1)(f): An institution shall not...[i]nitiate an investigation of a bias incident unless the general counsel for the institution authorizes the investigation and certifies in writing that the investigation is necessary because the conduct being investigated: 1. May rise to the level of student-on-student harassment if all facts alleged are taken as true; or 2. Is subject to mandatory investigation pursuant to applicable state or federal law.

KRS 164.2895(1)(g): An institution shall not...[h]old a hearing, tribunal, or other disciplinary proceeding on a bias incident unless the general counsel for the institution authorizes the hearing and certifies in writing, after a review of all relevant evidence, that the hearing is necessary to ensure compliance with applicable state or federal law.

Response:

Compliance Status

The University is in compliance with both provisions.

Compliance Measures Taken

The University revised its investigation policy, now titled Reports of Bias, Discrimination, and Harassment, which incorporates the statute's language verbatim. The policy only permits an investigation or hearing if the General Counsel certifies in writing that it is necessary under the exceptions outlined in the statute.

Ongoing and Future Compliance Strategies

KRS 164.2895(1)(h): An institution shall not...[e]xpend any resources to: 1. Establish or maintain a diversity, equity, and inclusion office; 2. Contract or employ an individual to serve as a diversity, equity, and inclusion officer; 3. Provide diversity, equity, and inclusion training or contribute to any cost associated with planning, promoting, hosting, traveling to, attending, presenting, or otherwise participating in diversity, equity, and inclusion training; or 4. Establish or maintain a diversity, equity, and inclusion initiative.

Response:

Compliance Status

The University is compliant as it has no such office, officer or training.

Compliance Measures Taken

As a part of the HB4 compliance process, the University Administration reviewed positions titles, job descriptions, performance goals, and annual work plans to ensure compliance with HB4 and provided extensive training to employees. Job descriptions were specifically reviewed and amended as needed to ensure that employee responsibilities did not include developing, implementing, or promoting prohibited trainings or initiatives. Any activities identified as potential violations were suspended or modified as appropriate.

Ongoing and Future Compliance Strategies

The Office of University Counsel reviews programming and initiatives to ensure they comport with HB4 and federal law and guidance.

KRS 164.2895(1)(i): An institution shall not...[o]n an application for employment, promotion, contract, contract renewal, admission, housing, financial aid, or scholarship, compel, solicit, or consider any pledge or statement on an applicant's experience with or views on religion, race, sex, color, or national origin, except an institution may: 1. If an applicant for admission or scholarship submits and unsolicited statement concerning how a matter relating to religion, race, sex, color, or national origin affected his or her life, consider the statement but shall not provide differential treatment or benefits based upon the race, sex, religion, color, or national origin of the applicant; and 2. Require an applicant for housing to

disclose his or her biological sex for the purpose of maintaining separate living facilities for members of a single biological sex.

Response:

#### Compliance Status

The University is in compliance with this provision. The University does not solicit or compel statements from applicants regarding their views on protected characteristics.

#### Compliance Measures Taken

The Office of University Counsel has worked with Admissions, Scholarships, and Human Resources to review legacy solicitations and amend evaluation procedures to ensure compliance and prevent potential differential or preferential treatment. While some applications must request demographic data for federal reporting purposes, the University is actively working with its software vendors to ensure the disclosure of such data is optional for applicants.

**Ongoing and Future Compliance Strategies** In addition to ongoing annual training, HB4-related questions and certifications will be added to the University's Annual Disclosure Form, which must be completed each year by all University employees. These additions will be made on or before December 1, 2025. All new/incoming University Deans and Vice Presidents will be required to complete comprehensive HB4 training and sign an HB4 compliance attestation as a part of the onboarding process.

KRS 164.2895(1)(j): An institution shall not...[r]equire any student to enroll in or complete an academic course of which the primary purpose is to indoctrinate participants with a discriminatory concept.

Response:

#### Compliance Status

The University is in compliance with this provision. While students may be required to take certain courses to meet accreditation standards for a specific degree, they are free to choose from a wide range of courses to satisfy general education requirements.

#### Compliance Measures Taken

As a part of the HB4 compliance process, the Academic Affairs Office reviewed University policies, procedures, programs, and trainings to ensure compliance with HB4. Representatives from the Office of the Provost and Faculty Affairs served as members of this work group and received extensive training. This training included guidance on how to distinguish between instruction and indoctrination. Moreover, all University Deans have signed written attestations confirming their understanding of and adherence to relevant state law requirements.

#### Ongoing and Future Compliance Strategies

In addition to ongoing annual training, HB4-related questions and certifications will be added to the University's Annual Disclosure Form, which must be completed each year by all University employees. These additions will be made on or before December 1, 2025. Also, all new/incoming University Deans and Vice Presidents will be required to complete comprehensive HB4 training and sign an HB4 compliance attestation as a part of the onboarding process.

KRS 164.2895(1)(k): An institution shall not...[r]equire or incentivize students, faculty, or staff to attend a diversity, equity, and inclusion training.

Response:

#### Compliance Status

The University is in compliance with this provision. The University does not mandate DEI training or expend resources to promote it.

#### Compliance Measures Taken

As a part of the compliance process, the Policy Review Group reviewed University policies, procedures, programs, and trainings to ensure compliance with HB4. Representatives from the Office of the Provost and Faculty Affairs served as members of this work group and received extensive training. Moreover, all University Deans and Vice Presidents have signed written attestations confirming their understanding of and adherence to relevant state law requirements.

#### Ongoing and Future Compliance Strategies

To ensure compliance, the University has provided training to units that create continuing education courses and now reviews such courses to ensure they do not promote discriminatory concepts or differential treatment of individuals that is not medically required and supported by peer-reviewed evidence. In addition to ongoing annual training, HB4-related questions and certifications will be added to the University's Annual Disclosure Form, which must be completed each year by all University employees. These additions will be made on or before December 1, 2025. Also, all new/incoming University Deans and Vice Presidents will be required to complete comprehensive HB4 training and sign an HB4 compliance attestation as a part of the onboarding process.

KRS 164.2896(1): No later than June 30, 2025, each governing board shall: (a) Adopt a policy on viewpoint neutrality that prohibits discrimination on the basis of an individual's political or social viewpoint and promotes intellectual diversity within the institution; and (b) Publish the amended policy in the institution's student handbook and faculty handbook and on a prominent, publicly accessible page of the institution's website.

KRS 164.2896(2): An institution shall not require any individual to endorse or condemn a specific ideology, political viewpoint, or social viewpoint to be eligible for hiring, contract renewal, tenure, promotion, admission, or graduation. Response: Compliance Status

The University is in compliance with both sections of KRS 164.2896.

#### Compliance Measures Taken

In accordance with subsection (1)(a), the University's Board of Trustees adopted a comprehensive viewpoint neutrality policy on June 27, 2025. To meet the requirement of subsection (1)(b), the policy was uploaded to the University's online Policy and Procedures Library and published in the Student and Faculty Handbooks. The policy (attached) explicitly prohibits discrimination based on political or social viewpoints and contains language fulfilling all requirements of subsection (2), thereby ensuring no individual is subjected to political or ideological litmus tests—or required to endorse or condemn a specific ideology—to be eligible for employment or academic progression. The policy also includes proactive measures that exceed the statute's requirements by requiring the University, as an institution, to refrain from taking positions on social or political issues unless they directly impact the University's mission, operations, or legal requirements. This institutional neutrality ensures that all members of the University community feel free to express their own views without fear of taking a position contrary to that of the University.

## Ongoing and Future Compliance Strategies

As a guardrail for future compliance, the policy clarifies who is authorized to speak on behalf of the University and reinforces employees' rights regarding free expression, academic freedom, and political activities. The policy also imposes potential disciplinary action and penalties for employees and students who violate policy requirements.