



POLICY TITLE:

Equal Opportunity & Non-Discrimination

APPLIES TO:

All employees, applicants for employment, students, visitors, volunteers, and contractors

ADMINISTRATIVE AUTHORITY:

Human Resources

APPROVED BY:

Kentucky State University Board of Regents

EFFECTIVE DATE:

August 8, 2025

NEXT REVIEW DATE:

August 8, 2028

POLICY STATEMENT:

Kentucky State University (KSU) is committed to equal opportunity in all employment and educational practices. KSU therefore prohibits discrimination in any KSU employment practice, educational program, or activity on the basis of protected characteristics as defined by this policy and applicable law.

KSU values merit, qualifications, skills, and performance as the primary factors in employment, advancement, admissions, and educational opportunity, and KSU maintains an environment where all individuals are treated with dignity and respect.

KSU is committed to viewpoint neutrality and does not discriminate against individuals based on their political or social viewpoints. No person shall be required to endorse or condemn a specific political or social viewpoint as a condition of employment, admission, or educational opportunity.

This policy complies with applicable federal and state laws, including the Civil Rights Act of 1964, the Americans with Disabilities Act, the Age Discrimination in Employment Act, and other applicable legislation.

DEFINITIONS:

Discrimination

Adverse action or unequal treatment of an individual or group based on protected characteristics.

Educational Practice or Activity

All academic, educational, extracurricular, athletic, and other programs of KSU, whether they take place in KSU facilities, at a class or training program sponsored by KSU at another location, or elsewhere.

Employment Practice

Any aspect of the employment relationship, including recruitment, hiring, promotion, training, discipline, compensation, benefits, and termination.

Equal Employment Opportunity

The right of all persons to work and advance on the basis of merit, ability, and potential.

Protected Characteristic

A trait or attribute protected from discrimination by federal or state law.

Qualified Individual with a Disability

An individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires.

Reasonable Accommodation

A modification or adjustment to a job, employment practice, or work environment that enables a qualified individual with a disability to perform the essential functions of a job or to enjoy equal benefits and privileges of employment.

Viewpoint Neutrality

The practice of treating all political and social viewpoints equally without favoritism or bias.

PROCESS:

Prohibited Discrimination in Employment

KSU prohibits discrimination in all employment practices, including but not limited to:

- Recruitment, advertising, and job application procedures;
- Hiring, upgrading, promotion, award of tenure, demotion, transfer, layoff, termination, right of return from layoff, and rehiring;
- Rates of pay or any other form of compensation and changes in compensation;
- Job assignments, job classifications, organizational structures, and position descriptions;
- Leaves of absence, sick leave, or any other leave;
- Benefits and benefit programs;

- Selection and financial support for training, including professional meetings, conferences, and related activities;
- Activities sponsored by KSU, including social and recreational programs;
- Any other term, condition, or privilege of employment.

Prohibited Discrimination in Educational Practices and Activities

KSU prohibits discrimination in all educational practices and activities, including but not limited to:

- Admissions;
- Financial aid, scholarships, and other financial benefits;
- Academic programs, courses, and instruction;
- Housing and other residential life benefits and services;
- Athletic programs;
- Student organizations and extracurricular activities;
- Counseling, academic advising, and health services;
- Access to KSU facilities and resources;
- Discipline of students;
- Treatment of married and/or pregnant students;
- Any other service, benefit, or opportunity that KSU makes available to students.

Protected Characteristics

In accordance with applicable federal and state laws, KSU prohibits discrimination on the basis of:

- Race;
- Color;
- Ethnic origin;
- National origin;
- Creed;
- Religion;
- Sex;
- Sexual orientation;
- Gender identity;
- Gender expression;
- Pregnancy;
- Marital status;
- Genetic information;
- Military service status;
- Veteran status;
- Physical or mental disability;
- Age;
- Political viewpoint;
- Social viewpoint

Merit-Based Practices

KSU is committed to merit-based hiring, promotion, retention, and educational decisions. KSU:

- Evaluates all applicants, employees, and students based on their qualifications, skills, abilities, experience, and performance;
- Ensures that job qualifications and requirements are job-related and consistent with business necessity;
- Utilizes fair and consistent standards when evaluating employee and student performance;
- Provides equal access to training, education, and development opportunities;
- Bases employment and educational decision on relevant factors related to qualifications, experience, abilities, and performance.

Viewpoint Neutrality and Intellectual Diversity

KSU is committed to:

- Viewpoint neutrality in all institutional practices and decisions;
- Promoting intellectual diversity and the free exchange of ideas;
- Evaluating employees, applicants, and students on merit and qualifications without regard to their political or social viewpoints;
- Ensuring that no person is required to endorse or condemn a specific political or social viewpoint as a condition of hiring, contract renewal, tenure, promotion, admission, or graduation;
- Fostering an environment where differing viewpoints can be expressed and debated respectfully.

Accommodations for Disabilities and Religious Practices

Disability Accommodations:

KSU will provide reasonable accommodation to:

- Qualified individuals with disabilities to enable them to perform the essential functions of their jobs;
- Qualified individuals with disabilities to allow them to participate in, and benefit from, educational programs and activities.

KSU will engage in an interactive process with an individual to determine their appropriate accommodations and will provide reasonable accommodations that would not impose an undue hardship on KSU operations.

Religious Accommodations:

KSU will provide reasonable accommodations for an employee's or student's religious beliefs, observances, and practices, unless doing so would impose an undue hardship on KSU operations.

Related Policies

KSU maintains separate policies that detail specific prohibitions and procedures for addressing complaints of discrimination or harassment:

Anti-Harassment and Non-Retaliation Policy. This policy contains procedures for reporting and investigating claims of discrimination or non-sexual harassment.

Title IX and Sexual Harassment Policy. This policy contains procedures for reporting and investigating sex discrimination and sexual harassment in accordance with Title IX regulations.

Individuals who believe they have experienced discrimination or harassment should consult these policies for detailed information on reporting procedures, investigation processes, and resolution options.

ADA Accommodations Policy. This policy contains procedures for requesting accommodations.

Retaliation Prohibited

KSU prohibits retaliation against any person who:

- Files a complaint of discrimination;
- Participates in an investigation of discrimination;
- Opposes discriminatory practices;
- Seeks an accommodation.

REFERENCES AND RELATED MATERIALS:

- Title VI and VII of the Civil Rights Act of 1964
- Title IX of the Education Amendments of 1972
- Section 504 of the Rehabilitation Act of 1973
- Americans with Disabilities Act (ADA)
- Age Discrimination Act of 1975
- Age Discrimination in Employment Act (ADEA)
- Genetic Information Nondiscrimination Act of 2008
- Vietnam Era Veterans’ Readjustment Assistance Act of 1974
- Kentucky Revised Statutes (KRS), Chapter 344 (Kentucky Civil Rights Act)
- Kentucky Revised Statutes (KRS), Chapter 164

CONTACTS:

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HISTORY:

Revision Type	Date of Issuance/Revision	Drafter(s)/Editor(s)
Issued (New Policy)	August 2024	Zach Atwell
Substantive Revisions	June 2025	Zach Atwell