



HB 4 Postsecondary DEI

What the Bill Does

- Colleges, universities, and the Council on Postsecondary Education (CPE) cannot treat people differently based on religion, race, sex, color, or national origin—except when required by federal law. This includes banning affirmative action in hiring and admissions.
- Training related to identity, diversity, or inclusion cannot be mandatory for courses or employment.
- The definition of a "bias incident" is narrowed, and there are new limits on related disciplinary actions.
- Universities are prohibited from funding staff, programs, or offices focused on diversity-related initiatives—even if they aren't labeled as such.
- The Attorney General can take legal action against universities suspected of noncompliance.
- CPE must create and publish a yearly survey to measure intellectual freedom and viewpoint diversity on campus. It must assess whether students and faculty encounter a range of political and ideological ideas and feel safe sharing their own views.

Why It Matters

HB 4 reshapes how Kentucky supports college access and completion at a time when we need more students earning degrees to meet workforce demands. The bill's broad restrictions could limit services that help first-generation, low-income, and rural students succeed—impacting *Big Bold Future* goals to expand opportunity and strengthen the state's talent pipeline.

- **Limits on Student Support and Opportunity:** The bill's broad and unclear language could make it harder for colleges to continue student support programs, mentoring, and scholarships—especially those that help first-generation, low-income, and rural students. Without clarity, universities may be forced to pause or eliminate programs that have improved student outcomes. These limits come at a time when Kentucky needs more college graduates ready to meet workforce demands.
- **Impact on Learning Environment:** By restricting certain offices and training programs, the bill may hinder efforts to foster a learning environment where all



students feel supported and able to succeed. The potential for legal action and uncertainty around compliance could discourage open dialogue on campus—at a time when collaboration, curiosity, and diverse perspectives are key to student learning and workforce readiness.

- **Concerns About Expression:** The bill may unintentionally restrict how campuses approach guest speakers, student events, or academic discussions tied to identity or lived experience. While Kentucky's colleges are committed to civil discourse, vague rules could lead institutions to take an overly cautious approach—limiting valuable opportunities for students to engage with new ideas.
- **Unclear Rules, Heavy Reporting Burden:** The bill creates far-reaching requirements without clear implementation guidelines. Legal certifications and significant penalties may overwhelm institutions with red tape. This could pull time and resources away from instruction and advising—reducing focus on the core mission of helping students graduate and succeed.
- **Uncertain Implementation Creates Uneven Impact:** Without clear definitions or state-level guidance, institutions may take widely different approaches. Some may preserve broad access to support services, while others may cut anything remotely connected to identity. This inconsistency could increase inequity across campuses.
- **Legal and Financial Uncertainty:** With steep penalties and new grounds for lawsuits, the bill increases risk for colleges and their leaders. In trying to avoid legal trouble, schools might overcorrect and cut programs that are helping students—especially those facing challenges outside the classroom, such as financial stress or family obligations. A more balanced approach could support transparency without disrupting progress.



How Do We Make This Bill Work in the Real World

- **Preserve What Works for Students:** While policies are shifting, the need for student support remains. Colleges can continue offering tutoring, counseling, mentoring, and resource centers—as long as they are open to all. Clear communication and program design will be key to ensuring broad access without unintentionally limiting opportunity.
- **Clarify the Boundaries:** Institutions must work closely with legal counsel to ensure essential services—such as those related to student safety, accessibility, and accreditation—are not unintentionally disrupted. Clear, practical definitions of restricted activities are critical for ensuring consistent implementation.
- **Support Open Dialogue and Expression:** To foster learning and collaboration, policies must encourage open discussion across a range of views. Clear and consistently applied standards can help prevent unintended consequences that limit dialogue around personal experiences or differing perspectives.
- **Track and Report Impact – With Transparency:** The required surveys and compliance reports can offer insights into what’s working. Institutions, CPE, and partners like KYSTATS should continue to collect and publicly report disaggregated data—by income, race, first-generation status, and more—to assess how implementation is affecting access, persistence, and completion. These data should guide improvements, not just compliance.
- **Balance Compliance and Cost:** As institutions navigate implementation, they’ll need clear guidance on how to adapt programs while avoiding service gaps. Without careful planning, legal and administrative burdens could shift resources away from core teaching and student success priorities.
- **Implementation Lessons from Other States:** Other states have adopted similar legislation—with mixed results. In Texas, for example, the lack of clear guidance led some colleges to maintain services by centering student engagement broadly. Others, facing legal uncertainty, eliminated services that had supported first-generation and low-income students. Kentucky can avoid these pitfalls by providing proactive guidance that balances compliance with student success.

