



EASTERN KENTUCKY UNIVERSITY
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September 11, 2024

Yvette Perry
Committee Staff Member
Education
Legislative Research Commission
Capitol Annex Room 107
702 Capitol Avenue
Frankfort, Kentucky 40601

SENT VIA SECURE FILE TRANSFER
AND EMAIL: Yvette.Perry@lrc.ky.gov

RE: Eastern Kentucky University's DEI Material

Dear Ms. Perry,

Please allow this correspondence to serve as Eastern Kentucky University's ("University" or "EKU") response to your request dated August 7, 2024, seeking four (4) components of information and records pertaining to "institutional diversity, equity, and inclusion initiatives" at the University in preparation for the Interim Joint Committee on Education meeting scheduled for September 17, 2024.

President McFaddin plans to address the committee without the accompaniment of a multimedia presentation component.

Thank you for your consideration of the University's response. Should you have further questions or requests, please direct them to Amy Scarborough, the University's Chief Government, Community, and Corporate Relations Officer. Amy has been copied on this communication and can be reached by email (Amy.Scarborough@eku.edu) or phone (859-353-2104).

Sincerely,

A handwritten signature in blue ink that reads "Dana Daughetee Fohl".

Dana Daughetee Fohl, J.D.
University Counsel
Eastern Kentucky University

cc: Amy Scarborough, Chief Government, Community, and Corporate Relations Officer

Eastern Kentucky University

Review of Institutional Diversity, Equity, and Inclusion (DEI) Initiatives

Interim Joint Committee on Education

September 17, 2024

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1) INSTITUTIONAL DEI INITIATIVES (GENERALLY)

a) DEI Officers:

i) Please provide a complete list, organized by department and office, of each individual who is employed by the institution:

(1) Whose job title or description includes the word "diversity," "equity," "equality," or "inclusion"; (2) Is employed by an office, division, program, or other agency with a name or title that includes the word "diversity," "equity," "equality," or "inclusion"; or (3) Holds a job or position with responsibilities that include developing, implementing, or promoting diversity, equity, and inclusion initiatives.

ii) For each employee listed in response to subparagraph i) of this section, please provide:

(1) The employee's name, (2) The job title and duties of the employee; (3) The amount of the employee's annual compensation; (4) The organizational chart of the office, division, or other agency of his or her employment.

Name/Title	Annual Salary	Position Duties and Description	University Department
Jaime Roberts, Chief Investigator and Deputy Title IX Coordinator	\$65,000	This position serves as the chief investigator for all reports made by university constituents for any alleged violations of the University's Discrimination and Harassment Policy.	Office of Equal Opportunity and Title IX
VACANT, Director of Equal Opportunity & Title IX & Compliance Coordinator	N/A	This position oversees the office responsible for implementing the University's Discrimination and Harassment Policy.	Office of Equal Opportunity and Title IX
Martina Jackson, Interim Director, Center for Inclusive Excellence and Global Engagement	\$60,500	This position supports students' academic, professional and personal development with a focus on civic and global engagement, and leadership development.	Center for Inclusive Excellence and Global Engagement
Matthew Cox, Associate Director, International Student Success	\$52,020	This position supports the transition of international students from a compliance perspective and to coordinate services.	Center for Inclusive Excellence and Global Engagement

b) DEI Offices: For each office, department, or program of the institution that includes the word "diversity," "equity," "equality," or "inclusion" in its title or is responsible for developing, implementing, or promoting diversity, equity, and inclusion initiatives, please provide the following:

- i) The name of the office, department, or program;
- ii) The duties and responsibilities of the office, department, or program;
- iii) The organizational chart of the office, department, or program;
- iv) The name and amount and rate of compensation of each employee of the office, department, or program; and
- v) The annual budget of the office, department, or program and the source of those funds.

Offices	Descriptions and Information
Office of Equal Opportunity and Title IX	<p>Duties and Responsibilities: The Office of Equal Opportunity and Title IX is charged with the University's compliance with Title IX of the Educational Amendments of 1972. Additionally, the Office of Equal Opportunity and Title IX is charged with the University's compliance with Title VI and Title VII of the Civil Rights Act of 1964.</p>
	<p>Employees and Compensation: Please see 1) a)</p>
	<p>Annual Office Budget: \$37,693</p>
The Center for Inclusive Excellence and Global Engagement	<p>Duties and Responsibilities: The Center for Inclusive Excellence and Global Engagement is a student-centered campus hub in the lower level of the Powell Student Center. Through programming, mentorship, and co-curricular engagement, the Center works to celebrate, support, and provide a sense of belonging for all students at Eastern Kentucky University. The Center imagines and supports a campus environment where students will be broad thinkers who are confident, responsible, global minded with a strong sense of community from admission to graduation and beyond. The Center promotes life-long learning and global citizenship by providing programs, workshops, study groups, panel discussions and experiential events that celebrate our entire community.</p>
	<p>Employees and Compensation: Please see 1) a)</p>
	<p>Annual Office Budget: \$29,894</p>

c) DEI Events: For each program or event planned by a DEI office over the past 12 months, please list:

i) The name and date of the event or program; ii) The hosting office, department, or organization; iii) The mission or purpose of the event; iv) The location of the event; v) The total budget of the event and the source of those funds; vi) A copy of any marketing materials or social media posts used by the institution or an organization affiliated with the institution to promote the event; and vii) The estimated number of attendees.

The University does not have a DEI office. The Center for Inclusive Excellence and Global Engagement assists student organizations with event implementation. Please refer to 1) b) for the Center's annual budget. Finally, please see Exhibit A: Event Materials for event promotional materials.

d) Admissions and Recruitment: Please describe any recruitment and admissions policies that are focused on promoting and increasing the representation and participation of individuals from groups that have historically been underrepresented for the institution.

Please provide the same for each program or department within the institution, including: i) The purpose of the policies; ii) The total costs of implementing the policies and the source of those funds; iii) A copy of any marketing materials or social media posts used by the institution or an organization affiliated with the institution to promote the policy; and iv) The efficacy of those policies and the methods the institution uses to determine that efficacy.

The University does not have recruitment or admissions policies that are focused on promoting and increasing the representation and participation of individuals from groups that have historically been categorized as underrepresented. Admission eligibility is based upon high school GPA.

e) DEI Spending:

i) Please provide a comprehensive analysis of the expenses related to DEI officers, DEI offices, DEI programs and events, DEI-related scholarships, DEI trainings and training materials, DEI recruiting efforts, and other DEI initiatives of the institution, including the total annual budget amount and actual expenses related to each; and

ii) The information required by subparagraph i) of this subsection shall include the annual DEI budget and actual DEI expenses of the institution as a whole and a breakdown of the annual DEI budget and actual DEI expenses of each department/office of the institution.

Office	Original Budget	Actual
Human Resources Diversity Job Advertisement/Recruitment Expenses (to comply with federal Affirmative Action Plan)	\$6,757	\$6,757

f) Institutional Missions: *Please provide a complete list of the full written mission of: i) The institution; ii) Each office and department within the institution; and iii) Each organization affiliated with the institution, including support foundations.*

Institution / Organization	Mission Statement
Eastern Kentucky University	Eastern Kentucky University is the School of Opportunity where everyone belongs. World class faculty and staff create opportunities for personal growth through exceptional experiences, to ensure students realize their fullest potential and achieve excellence. EKV graduates shape the success and vitality of their professions and communities.
Eastern Kentucky University Foundation, Inc.	To grow the EKV Endowment while serving as responsible stewards in our fiduciary responsibilities and as active ambassadors to grow the Eastern family.

2) STUDENT-CENTERED DEI INITIATIVES:

a) Academic DEI Instruction:

- i) For each classes/course related to diversity, equity, and inclusion initiatives or that include instruction on theoretical concepts related to the existence of power dynamics based on racial, ethnic, or gender stereotypes, please provide:*
 - (1) The title and course code of the course; (2) The course description and syllabus; (3) A list of the degrees or certificates that require successful completion of the course; (4) The General Education requirements that the course fulfills; and (5) The number of students that were enrolled in the course during the 2023-2024 school year;*
- ii) Are there any general education quotas that would require students to participate in a course related to ideological activism, such as critical race theory and DEI, to obtain a degree?*

The University’s Academic Programs and Curriculum Guides are available here: <https://programs.eku.edu/>.

Please see Exhibit B: Academic Instruction Courses and Syllabi for items 2) a) i) (1)-(5), which includes course title, designator, and number, course description, list of degrees or certificates that

require this course, General Education category where the course may be counted, and the number of students who enrolled in the course during the 23-24 academic school year.

The University's General Education Requirements is designed to foster foundational skills and knowledge necessary for achieving success in EKU's academic programs and to develop skills for effective leadership, professional roles, and participation as an educated and engaged citizen. For your reference, those General Education requirements are available at the following website:

<https://catalogs.eku.edu/undergraduate/general-academic-information/general-education-requirements/>.

There is no general education quota that would require students to participate in a course related to ideological activism to obtain a degree. As an example, students can fulfill "Element 6: Diversity of Perspectives and Experiences" by studying everything from "Appalachian Literature" to "Conversational German" to "Veterans in Society."

b) Student DEI Trainings: *Student orientations and trainings related to diversity, equity, and inclusion initiatives.*

i) Does the institution require a DEI training or sensitivity training as a degree, certificate, or program requirement?

The University does not require a DEI training or sensitivity training as a general requirement to obtain a degree or certificate. The University has one program, the Clinical Psychology Master of Science or Clinical Psychology Doctor of Psychology, that has one "diversity" training component of its curriculum to meet accreditation requirements. Please see iii below.

ii) New student and transfer student orientations:

(1) How are diversity, equity, and inclusion and DEI initiatives addressed in these trainings? Please provide copies of any relevant materials used during trainings held during the 2023-2024 school year.

The University does not require or offer training or content related to DEI during new student or transfer orientation.

(2) Do these trainings educate students on the principles of free speech, debate, open inquiry, and viewpoint diversity on campus? Please provide copies of any relevant materials used during trainings held during the 2023-2024 school year.

The University does not require or offer training or content related to DEI during new

student or transfer orientation.

(3) *Are orientation and training materials published to the institution's website? If so, please provide a link.*

Information about Orientation may be found here:
<https://www.eku.edu/admissions/orientation-faq/>

iii) *For each required student training, including program-specific trainings, please provide:*

(1) The name of the training; (2) The purpose of the training; (3) The number of students that participated in the training during the 2023-2024 school year; and (4) The cost of the training and the source of the funds to cover that cost.

Please see Exhibit C: Student Training (Clinical Psychology, Master of Science and Clinical Psychology, Doctorate of Psychology) for items 2) b) iii) (1)-(4).

c) Student Diversity Statements: *diversity statements or oaths an institution, or department of an institution, requires students or admissions applicants to submit.*

EKU students or admissions applicants are not required to complete a diversity statement or oath.

i) *Please provide a complete copy of the institution's admissions application.*

Please see Exhibit D: Admissions Application for item 2) c) i).

ii) *Please provide a written list of all diversity statements or oaths offered to any student or prospective student by the institution or a program or department of the institution. For each, please state:*

(1) The subject and purpose of the statement or oath; (2) The consequences for an individual that declines to submit a statement or oath; and (3) Any mechanisms in place to prevent retaliation based upon an individual's decision to decline submitting a statement or oath.

EKU students or admissions applicants are not required to complete a diversity statement or oath.

d) Scholarship Awards

i) *For each scholarships administered or distributed by the institution that are distributed based on race, ethnicity, religion, sex, sexual orientation, or other immutable characteristic or that use criteria related to race, ethnicity, religion, sex, sexual orientation, or another immutable*

characteristic to distinguish between candidates (excluding athletic scholarships), please provide:

(1) A copy of full application for a scholarship; (2) A description of the number and amount of each available scholarship award; and (3) The total amount of scholarships issued during the 2023-2024 school year and the source of those funds.

EKU does not have any scholarship that is administered by the institution that is selected or uses criteria based on race, ethnicity, religion, sex, sexual orientation, or other immutable characteristic.

EKU does have approximately ten (10) scholarships that were previously awarded, in part, on the basis of race or sex as stipulated by the private donor of such scholarship funding. Such awards occurred prior to the United States Supreme Court's landmark decision in Students for Fair Admissions, Inc. v. President & Fellows of Harvard College, 600 U.S. 181 (2023). Multi-year awards to receiving students will be honored; however, future recipients of those scholarships will be selected on the basis of revised terms and will not be chosen on the basis of any protected class.

Please see Exhibit E: Scholarship Application for item 2) d) i) (1).

ii) For each scholarships administered or distributed by the institution that includes any type of diversity statement or oath, please provide:

(1) A copy of full application for a scholarship; (2) A description of the number and amount of each available scholarship award; (3) A statement of how the oath or statement is used to evaluate scholarship candidates; (4) A description of the number and amount of each available scholarship award; and (5) The total amount of scholarships issued during the 2023-2024 school year and the source of those funds.

The University does not have any scholarships that require a diversity statement or oath.

e) Student Discipline: *How does the institution handle allegations of bias incidents committed by a student? Are students disciplined for non-criminal bias incidents?*

EKU neither has a "bias incident" response team nor a reporting mechanism for such an incident. Behavior allegedly directed at individuals on the basis of the recipient's perceived or actual protected class, as defined in the University's Discrimination and Harassment Policy, may be reported to the University's Office of Equal Opportunity & Title IX, which oversees compliance with these applicable state and federal laws. Unless behavior is implicated by that policy or otherwise violates the Student Code of Conduct, a student would not be disciplined for a "non-criminal bias incident."

- f) **Student Centers:** *Identify any student centers that provide services for an identified minority group.*

The Office of Military and Veterans Affairs serves military, Veteran, and military affiliated students by managing state and federal tuition benefits processes and providing a sense of community for Veteran and military affiliated students.

The Center for Student Accessibility (CSA) provides independent eligibility determinations to enable students to receive reasonable accommodations pursuant to the Americans with Disabilities Act (ADA), as amended (ADAA), Fair Housing Title VIII of the Civil Rights Act of 1968, as amended, and Section 504 of the Rehabilitation Act of 1973, as amended. A student must provide CSA with sufficient and appropriate disability documentation, and documentation must be provided prior to the onset of a request for accommodation. Once disability documentation is evaluated by the CSA professional staff, accommodations may be provided.

The Office of International Student and Scholar Services provides services and support to all visiting and exchange international students who are seeking to further their education at the University.

3) **FACULTY-CENTERED DEI INITIATIVES**

- a) **Faculty/Staff Diversity Statements:** *diversity statements or oaths of an institution or department of an institution that faculty, staff, or job applicants are required to submit as a condition of employment, continued employment, promotion, contract renewal, or other benefit.*
- i) *Please provide a complete copy of the general employment application of the institution and any supplemental applications or documents required by the institution of any academic department of the institution.*

Please see Exhibit F: Employment Application for item 3) a) i).

- ii) *Please provide documentation of each diversity statement or oath offered to faculty, staff, or job applicants, and for each please state:*
- (1) The subject and purpose of the diversity statement or oath? (2) What are the consequences for an individual that declines to submit a diversity statement or oath? (3) What mechanisms are in place to prevent retaliation based upon an individual's decision to decline submitting a statement or oath?*

EKU faculty and staff are not required to complete a diversity statement or oath.

b) Faculty and Staff DEI Trainings:

i) Does the institution require a DEI training or sensitivity training?

The University does not require a DEI training or sensitivity training.

ii) Does the institution or departments within the institution require trainings on the principles of free speech, debate, open inquiry, and viewpoint diversity?

The University does not require training on the principles of free speech, debate, open inquiry and viewpoint diversity for all employees.

iii) Please provide a written list of all faculty and staff trainings required by an institution or department within an institution. For each, please provide:

(1) The title of the training; (2) The basic subject matter of the training; (3) The job titles of the individuals required to participate in the training; and (4) The department or office that is responsible for issuing and/or enforcing the requirement.

University employees, including part-time employees and student workers, are automatically assigned “Discrimination Awareness in the Workplace” and “Title IX and Sexual Harassment Prevention for Employees” trainings via Vector Solutions and, presently, are asked to complete this training every two (2) years. This training module provides contact information for the Equal Employment Opportunity Commission and explains that federal law prohibits discrimination by the federal government as well as its contractors, including the University; how to recognize and avoid harassment and discrimination in the workplace; that individuals are protected from retaliation for reporting possible harassment/discrimination and/or for participating in the University’s processes; that there are significant consequences for engaging in harassment/discrimination in the workplace, including potential legal action as well as disciplinary action by the University; and, where and how persons should report possible harassment/discrimination.

Finally, the University also requires a “Data Trustees” training, which informs and instills awareness regarding proper handling of data, and an “IT Cybersecurity” training, which covers best practices in digital security to mitigate risks online (phishing, scams, etc). Both are issued by the Information Technology department.

The Faculty Center for Teaching and Learning does not offer “DEI trainings” or instruction to

faculty that is required by the University.

4) **BIAS INCIDENTS:** *How does the institution handle allegations of bias incidents committed by faculty and staff?*

Eastern Kentucky University neither has a “bias incident” response team nor a reporting mechanism for such an incident. Behavior allegedly directed at individuals on the basis of the recipient’s perceived or actual protected class, as defined in the University’s Discrimination and Harassment Policy, may be reported to the University’s Office of Equal Opportunity & Title IX, which oversees compliance with these applicable state and federal laws. Unless behavior is implicated by that policy or otherwise violates the Employee Handbook, a faculty or staff member would not be disciplined for a non-criminal “bias incident.”