

164.2897 Council on Postsecondary Education -- Prohibited practices -- Exceptions -- Certification to Legislative Research Commission -- Attorney General to enforce.

- (1) The council shall not:
 - (a) Provide any differential treatment or benefits to an individual on the basis of the individual's religion, race, sex, color, or national origin;
 - (b) Expend any resources to:
 1. Establish or maintain a diversity, equity, and inclusion office;
 2. Contract with 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; or
 - (c) Compel, solicit, or consider as part of the employment application process any statements on the applicant's religion, race, sex, color, or national origin.
- (2) Nothing in this section shall be construed to prohibit programs, procedures, policies, and other initiatives deemed by the council's general counsel to be required for compliance with federal or state law, a court order, or a binding contract entered into prior to June 27, 2025.
- (3) The council shall comply with this section no later than June 30, 2025.
- (4) Beginning July 1, 2026, the council shall submit an annual certification to the Legislative Research Commission for referral to the appropriate Interim Joint Committee on Education that:
 - (a) Is signed by the president or budget director of the council; and
 - (b) Certifies that the council has not spent money in violation of this section during the previous fiscal year.
- (5) The Attorney General may bring a civil action for a writ of mandamus to compel the council to comply with this section.

Effective: June 27, 2025

History: Created 2025 Ky. Acts ch. 120, sec. 4, effective June 27, 2025.