



OFFICE OF THE PRESIDENT

January 8, 2026

Chairman West, Chairman Lewis, and Chairman Tipton  
Interim Joint Committee on Education  
Legislative Research Commission  
704 Capital Avenue  
Annex Room 136  
Frankfort, KY 40601

The Honorable Russell Coleman  
Attorney General  
Office of the Attorney General  
Commonwealth of Kentucky  
1024 Capital Center Drive  
Suite 200  
Frankfort, KY 40601

SENT VIA EMAIL:  
[Christopher.thacker@ky.gov](mailto:Christopher.thacker@ky.gov)

Re: Supplement to Western Kentucky University's HB 4 Presidential Compliance Report

Dear Chairman West, Chairman Lewis, Chairman Tipton, and Attorney General Coleman,

The purpose of this letter is to supplement Western Kentucky University's ("WKU" or "University") previous report submitted pursuant to House Bill 4 and published on the University's website on August 29, 2025.

*Pursuant to KRS 164.2895, "an institution shall not:"*

*(a) 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;*

- **Status:** Compliant.
- **Steps taken to achieve compliance:**
  - Appropriate WKU employees, including but not limited to, the WKU Human Resource Staff, Department of Student Financial Assistance, Enrollment Management, Provost and Vice President for Academic Affairs, the Council of Academic Deans and President's Cabinet were trained on KRS 164.2895 compliance.
  - Preference-based language encouraging women and minorities to apply for University employment was eliminated from position postings.
- **Guardrails to ensure further compliance:**

*The Spirit Makes the Master*

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- The Office of General Counsel will engage in ongoing training with key stakeholders and commits to annual review of KRS 164.2895 (1) (a) compliance.

*(b) Discriminate in student admissions on the basis of religions, race, sex, color, or national origin;*

- **Status:** Compliant.
- **Steps taken to achieve compliance:**
  - The University does not discriminate in student admissions based on religion, race, sex, color, or national origin.
  - Appropriate WKU employees, including but not limited to, the WKU Admission Staff, Department of Student Financial Assistance, Enrollment Management, Provost and Vice President for Academic Affairs, and the Council of Academic Deans were trained on KRS 164.2895 compliance.
- **Guardrails to ensure further compliance:**
  - The University will continue to welcome all students who meet our academic criteria for admission. The Office of General Counsel will engage in ongoing training with key stakeholders and commits to annual review of KRS 164.2895 (1)(b) compliance.

*(c) Except as provided in subsection (2)(1) 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;*

- **Status:** Compliant.
- **Steps taken to achieve compliance:**
  - The University no longer offers scholarships to students based on religion, race, sex, color, or national origin. The last students awarded the Cornelius Martin Scholarship for underrepresented minorities are the class of 2028, at which point the University's scholarship commitment ends.
  - Appropriate WKU employees, including but not limited to, the WKU Department of Student Financial Assistance, Enrollment Management, Provost and Vice President for Academic Affairs, and the Council of Academic Deans were trained on KRS 164.2895 compliance.
  - President Caboni and the General Counsel shared KRS 164.2894, et seq. compliance requirements with the College Heights Foundation Board and Alumni Association leadership.
  - Privately funded scholarships administered through the University's foundations that contain restrictions or preference-based language were modified, eliminated, or the corpus planned for exhaustion pursuant to KRS 164.2895(2)(1).
- **Guardrails to ensure further compliance:**
  - The University will engage in ongoing training with key stakeholders and commits to annual review of KRS 164.2895 (1) (c) compliance.

*(d) Prioritize 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;*

- **Status:** Compliant.

- **Steps taken to achieve compliance:**
    - Revisions to the procurement policy culminated in elimination of preference-based language.
  - **Guardrails to ensure further compliance:**
    - The policy may not be amended further pursuant to the University's [Policy on Policies](#), No.0.0004 without the approval of the President's Cabinet comprised of leadership trained in compliance with KRS 164.2894 et seq.
- (e) *Make 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 implement in a discriminatory manner or segregated by religion, race, color, or national origin;*
- **Status:** Compliant.
  - **Steps taken to achieve compliance:**
    - Students self-select into living learning communities in university residence halls and upper-class students self-select rooms in the residence hall of their choice. Beginning with the next academic year, living learning community selection is limited to academic cohorts.
  - **Guardrails to ensure further compliance**
    - The Executive Director for Housing and Residence Life and the Vice President of Student Affairs, Dean of Students were trained on compliance with the statutes. See the College Heights Herald article, WKU to remove all non-academic LLCs, [here](#).
    - The University will engage in ongoing training with key stakeholders and commits to annual review of KRS 164.2895 (1) (e) compliance.
- (f) *Initiate an investigation of a bias incident unless the general counsel for the institution authorized 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;*
- **Status:** Compliant.
  - **Steps taken to achieve compliance:**
    - WKU amended its response process to complaints of discrimination and harassment based on religion, race, sex, color, national origin or perceived protected status to require written authorization from the Office of General Counsel to begin a formal investigation or conduct a hearing.
  - **Guardrails to ensure further compliance:**
    - The Office of Institutional Equity's requests for approval to conduct an investigation and the responses to same are memorialized in writing subject to attorney-client privilege.
    - The Office of the General Counsel is committed to annual review of this process.
- (g) *Hold a hearing, tribunal, or other disciplinary proceeding on a bias incident unless the general counsel for the institution authorized 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;*

- **Status:** Compliant.
- **Steps taken to achieve compliance:**
  - WKU amended its response process to complaints of discrimination and harassment based on religion, race, sex, color, national origin or perceived protected status to require written authorization from the Office of General Counsel before conducting a hearing or other disciplinary proceeding on a bias incident.
- **Guardrails to ensure further compliance:**
  - The Office of Institutional Equity's requests for approval to conduct a hearing and the responses to same are memorialized in writing subject to attorney-client privilege.

*(h) Expend any resource 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;*

- **Status:** Compliant.
- **Steps taken to achieve compliance:**
  - WKU has not historically maintained a diversity, equity, or inclusion office and did not employ any diversity, equity, and inclusion officers prior to or following the passage of HB4.
  - The University will no longer support affinity groups whose membership is limited by religion, race, sex, color or national origin.
  - Information Technology completed an audit of the University's website. Recognizing the difficulty in eradicating all outdated websites, the University affirmed its commitment to eliminating noncompliant sites, if discovered through administrative processes or by an external constituent.
  - All non-compliant programming for students, faculty, and staff was eliminated. Student outreach for at-risk students is targeted to first-generation college students, low-income students, non-traditional students, transfer students, military veterans, and students with unique abilities in compliance with HB4.
- **Guardrails to ensure further compliance:**
  - The University will engage in ongoing training with key stakeholders and commits to annual review of KRS 164.2895 (1) (h) compliance.

*(i) On 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 an 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;*

- **Status:** Compliant.
- **Steps taken to achieve compliance:**
  - Application materials for prospective and current employees, students, and vendors do not compel or encourage the individual's experience or views on religion, race, sex, color, or national origin.
- **Guardrails to ensure further compliance:**
  - The University will engage in ongoing training with key stakeholders and commits to annual review of KRS 164.2895 (1) (i) compliance.

*(j) Require any student to enroll in or complete an academic course of which the primary purpose is to indoctrinate participants with a discriminatory concept;*

- **Status:** Compliant.
- **Steps taken to achieve compliance:**
  - A committee comprised of representatives from each academic college and the Office of the General Counsel conducted a comprehensive review of course content to evaluate syllabi and materials to confirm that alternative viewpoints are presented with dominant perspectives, learning objectives remain free of normative claims, and course materials reflect a broad range of ideological perspectives. This work is complete.
- **Guardrails to ensure further compliance:**
  - Utilizing the same objectives, each academic college's curriculum committee is charged with systematic review of existing course content and new curriculum as it is developed.

*(k) Require or incentivize students, faculty, or staff to attend a diversity, equity, and inclusion training.*

- **Status:** Compliant.
- **Steps taken to achieve compliance:**
  - WKU has not historically mandated DEI training or expended resources to promote it.
  - The University no longer supports or incentivizes students, faculty, or staff to attend diversity, equity, and inclusion training or conferences.
- **Guardrails to ensure further compliance:**
  - The Office of General Counsel provided training to units across campus, including Faculty Senate, Student Government, Council for Academic Deans, Staff Senate, and Communication Cabinet on compliance with KRS 164.2895(1)(k) and is committed to annual review of the University's compliance with this section.

***KRS. 164.2896***

***No later than June 30, 2025, each governing board shall adopt a policy on viewpoint neutrality and publish the policy in the institution's student handbook and faculty handbook as well as on the institution's website.***

- **Status:** Compliant.
- **Steps taken to achieve compliance:**
  - The WKU Board of Regents passed an Institutional Neutrality Policy at its June 6, 2025 quarterly meeting affirming the University's commitment to viewpoint neutrality, academic freedom, and the importance of actively encouraging a robust diversity of perspectives

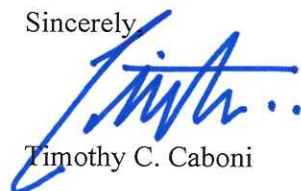


across the campus community. This policy formalized the University's long-standing practice of abstaining from public statement on local, national, or international issues tangential to higher education which reinforced an environment where the free exchange of ideas is not stifled by institutional statements or comments from leadership

- The Institution's Neutrality Policy is located [here](#).
- The [Faculty Handbook](#) contains a link to our Institutional Neutrality Policy in the Freedom of Expression section, page 11, section II.D.
- Also, the [Student Handbook](#) has a "policies" tab that contains links to important WKU policies, including the Institutional Neutrality Policy.
- **Guardrails to ensure further compliance:**
  - The Office of General Counsel provided training to units across campus, including Faculty Senate, Student Government, President's Cabinet, Council for Academic Deans, Staff Senate, Communication Cabinet, among others on compliance with KRS 164.2896.

Thank you for the opportunity to supplement our August 2025 report and further demonstrate the University's commitment to ongoing compliance with KRS 164.2894, et seq.

Sincerely



Timothy C. Caboni