

MEMORANDUM

TO: Fort Wayne Senate

FROM: Cigdem Gurgur, Executive Committee Chair, Steve Carr and Noor Borbieva O'Neill, Voting Faculty

DATE: 24 January 2025

SUBJ: The Future of Diversity, Equity, and Inclusion Initiatives at Purdue University Fort Wayne

The Future of Diversity, Equity, and Inclusion Initiatives at Purdue University

WHEREAS the Indiana Senate voted on 6 February 2025 to pass Senate Bill 289, which if passed in the house and enacted as law, would effective July 1, 2025, ban all state spending on diversity, equity and inclusion initiatives at Indiana educational institutions; and,

WHEREAS SB 289 “Establishes prohibitions and requirements on state agencies, state educational institutions, and health profession licensing boards regarding diversity, equity, and inclusion.

WHEREAS SB 289 prohibits expenditures on actions that would “Promote or promulgate training, programming, or activities designed or implemented with reference to race, sex, color, or ethnicity that are not training, programming, or activities developed by an attorney and approved in writing by the attorney general for the sole purpose of ensuring compliance with any applicable court order or state or federal law” (24.2.4, pg. 2, lines 6-12).

WHEREAS SB 289 prohibits expenditures that would “(1) establish, sustain, support, or staff a DEI office; or (2) contract, employ, engage, or hire an individual to serve as a DEI officer” (24.5.a, pg. 3, lines 2-4).

WHEREAS our web page titled “Mission, Vision, Values, and Principles” lists “Diversity and Inclusion” among the university’s “Core Values” at <https://www.pfw.edu/about-pfw/mission-vision-values-principles>; and,

WHEREAS the university’s “Diversity Statement” listed under “Our Principles” on the same web page reads as follows:

Purdue University Fort Wayne is committed to creating an environment that enhances learning by recognizing the inherent worth of all individuals at the university. Diversity stimulates creativity, promotes the exchange of ideas, and enriches campus life. The term diversity encompasses differences of culture, background, and experience among individuals and groups. Such differences include, but are not necessarily limited to, differences of race, ethnicity, color, gender, sexual orientation, gender identity or expression, class, age, and disabilities, as well as political and religious affiliation, and socioeconomic status; and,

WHEREAS Purdue University Fort Wayne created a Diversity, Equity, and Inclusion Office which includes seventeen staff positions across six units including the Multicultural Center, the

Women’s Center, the Q Center, TRIO Student Support Services, and TRIO Upward Bound; and,

WHEREAS principles of diversity, equity, and inclusion figure prominently throughout the curriculum at Purdue University Fort Wayne at multiple levels including General Education, College, and Program-level requirements; and,

WHEREAS SB289 would potentially eliminate the entire Diversity, Equity, and Inclusion Office as well as terminate seventeen staff positions by forcing the University to choose between its principles and its funding; and,

WHEREAS SB 289 offers only vague and ambiguous standards for what counts as advocacy or “activities outside the classroom;” and,

WHEREAS this vague and ambiguous language could potentially result in the Indiana General Assembly banning any systematic curricular requirement concerning diversity, equity because such requirements exist “outside the classroom;” and,

WHEREAS this resolution does not purport to speak for every single member of the Faculty nor to reflect an official position of our university or of Purdue University, it does reflect what Faculty Senate believes the official position of the university should be;

BE IT RESOLVED Fort Wayne Senate oppose SB 289; and,

BE IT FURTHER RESOLVED Fort Wayne Senate discuss additional steps the University needs to take to protect our curriculum, the Diversity, Equity, and Inclusion Office and the seventeen staff members who work there, and our stated Mission, Vision, Values, and Principles.

HOUSE BILL No. 1496

DIGEST OF INTRODUCED BILL

Citations Affected: IC 21-7-13; IC 21-39.5-6-1.5; IC 21-41-16.

Synopsis: State educational institution administration. Prohibits use of public funds by a state educational institution for policies or programs and campus activities outside the classroom that: (1) advocate for campus diversity, equity, and inclusion; or (2) promote or engage in political or social activism. Makes related changes.

Effective: July 1, 2025.

**Bascom, Teshka, Zimmerman,
Davis**

January 21, 2025, read first time and referred to Committee on Education.



First Regular Session of the 124th General Assembly (2025)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2024 Regular Session of the General Assembly.

HOUSE BILL No. 1496

A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 21-7-13-9.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2025]: **Sec. 9.5. For purposes of IC 21-41-16, "campus diversity,**
4 **equity, and inclusion" has the meaning set forth in IC 21-41-16-1.**
5 SECTION 2. IC 21-7-13-18.4 IS ADDED TO THE INDIANA
6 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2025]: **Sec. 18.4. For purposes of**
8 **IC 21-41-16, "federal funds" has the meaning set forth in**
9 **IC 21-41-16-2.**
10 SECTION 3. IC 21-7-13-25.5 IS ADDED TO THE INDIANA
11 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
12 [EFFECTIVE JULY 1, 2025]: **Sec. 25.5. For purposes of**
13 **IC 21-41-16, "political or social activism" has the meaning set**
14 **forth in IC 21-41-16-3.**
15 SECTION 4. IC 21-7-13-27.5 IS ADDED TO THE INDIANA
16 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
17 [EFFECTIVE JULY 1, 2025]: **Sec. 27.5. For purposes of**



1 **IC 21-14-16, "programs or campus activities" has the meaning set**
 2 **forth in IC 21-41-16-4.**

3 SECTION 5. IC 21-7-13-31.4 IS ADDED TO THE INDIANA
 4 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 5 [EFFECTIVE JULY 1, 2025]: **Sec. 31.4. For purposes of**
 6 **IC 21-41-16, "social issues" has the meaning set forth in**
 7 **IC 21-41-16-5.**

8 SECTION 6. IC 21-7-13-32.5 IS ADDED TO THE INDIANA
 9 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 2025]: **Sec. 32.5. For purposes of**
 11 **IC 21-41-16, "state funds" has the meaning set forth in**
 12 **IC 21-41-16-6.**

13 SECTION 7. IC 21-7-13-34.5 IS ADDED TO THE INDIANA
 14 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 15 [EFFECTIVE JULY 1, 2025]: **Sec. 34.5. For purposes of**
 16 **IC 21-41-16, "student-led organization" has the meaning set forth**
 17 **in IC 21-41-16-7.**

18 SECTION 8. IC 21-39.5-6-1.5 IS ADDED TO THE INDIANA
 19 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 20 [EFFECTIVE JULY 1, 2025]: **Sec. 1.5. This article is subject to**
 21 **IC 21-41-16.**

22 SECTION 9. IC 21-41-16 IS ADDED TO THE INDIANA CODE
 23 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2025]:

25 **Chapter 16. Prohibition on Funding**

26 **Sec. 1. As used in this chapter, "campus diversity, equity, and**
 27 **inclusion" means any:**

28 **(1) policy; or**

29 **(2) program or campus activity;**

30 **that classifies individuals on the basis of race, color, sex, national**
 31 **origin, gender identity, or sexual orientation and promotes**
 32 **differential or preferential treatment of individuals on the basis of**
 33 **the classification.**

34 **Sec. 2. (a) As used in this chapter, "federal funds" means those**
 35 **funds provided to the state educational institution directly or**
 36 **indirectly by an appropriation by the Congress of the United**
 37 **States. The term includes financial aid provided to the state**
 38 **educational institution by or on behalf of a student attending the**
 39 **state educational institution if the financial aid is provided to the**
 40 **student via a governmental aid or grant program.**

41 **(b) The term does not include student fees to support student-led**
 42 **organizations notwithstanding any speech or expressive activity by**



1 such organizations that would otherwise violate this chapter if the
 2 student fees must be allocated to student-led organizations
 3 pursuant to written policies adopted by the board of trustees of the
 4 state educational institution.

5 Sec. 3. (a) As used in this chapter, "political or social activism"
 6 means any activity:

7 (1) organized with a purpose of effecting or preventing change
 8 to a government policy, action, or function, or any activity
 9 intended to achieve a desired result related to social issues;
 10 and

11 (2) with which the state educational institution endorses or
 12 promotes a position in communications, advertisements,
 13 programs, or campus activities.

14 (b) The term does not include:

15 (1) authorized government relations and lobbying activities of
 16 the state educational institution concerning matters that
 17 directly affect the operations of the state educational
 18 institution or direct-support organizations of the state
 19 educational institution; or

20 (2) endorsement or promotion of a position that encourages
 21 compliance with state or federal law or a rule of the
 22 commission for higher education.

23 Sec. 4. As used in this chapter, "programs or campus activities"
 24 means any activities authorized or administered by a state
 25 educational institution that involve:

26 (1) student participation, other than classroom instruction; or

27 (2) hiring, recruiting, training, evaluating, promoting,
 28 disciplining, or terminating institution employees or
 29 contractors.

30 Sec. 5. As used in this chapter, "social issues" refers to topics
 31 that polarize or divide society among political, ideological, moral,
 32 or religious beliefs.

33 Sec. 6. (a) As used in this chapter, "state funds" are those funds
 34 provided to a state educational institution by an appropriation
 35 enacted by the general assembly. The term includes financial aid
 36 provided to the state educational institution by or on behalf of a
 37 student attending the state educational institution if the financial
 38 aid is provided to the student via a state government aid or grant
 39 program.

40 (b) The term does not include student fees to support student-led
 41 organizations notwithstanding any speech or expressive activity by
 42 the organizations that would otherwise violate this chapter if the



1 student fees must be allocated to student-led organizations
 2 pursuant to written policies adopted by the board of trustees of the
 3 state educational institution.

4 Sec. 7. As used in this chapter, "student-led organization"
 5 means an organization recognized by the state educational
 6 institution as an active and registered student organization that is
 7 comprised of student members with a faculty or staff advisor,
 8 including an organization that receives activity and service fees
 9 authorized by the board of trustees of the state educational
 10 institution.

11 Sec. 8. A state educational institution may not expend state
 12 funds or federal funds to promote, support, or maintain programs
 13 or campus activities that:

- 14 (1) advocate for campus diversity, equity, and inclusion; or
- 15 (2) promote or engage in political or social activism.

16 Sec. 9. A state educational institution advocates for campus
 17 diversity, equity, and inclusion when it implements a policy or
 18 engages in a program or campus activity that:

- 19 (1) advantages or disadvantages, or attempts to advantage or
 20 disadvantage, an individual or group on the basis of race,
 21 color, sex, national origin, gender identity, or sexual
 22 orientation, to equalize or increase outcomes, participation, or
 23 representation as compared to other individuals or groups; or
- 24 (2) promotes the position that a group's or an individual's
 25 action is inherently, unconsciously, or implicitly biased on the
 26 basis of race, color, sex, national origin, gender identity, or
 27 sexual orientation.

28 Sec. 10. Student-led organizations may use state educational
 29 institution facilities, notwithstanding any speech or expressive
 30 activity by the organizations that would otherwise violate section
 31 8 of this chapter, if the use must be granted to student-led
 32 organizations pursuant to written policies of the state educational
 33 institution adopted by the board of trustees.

34 Sec. 11. Section 8 of this chapter does not prohibit programs or
 35 campus activities or functions required for:

- 36 (1) compliance with general or federal laws or regulations;
- 37 (2) obtaining or retaining institutional or discipline specific
 38 accreditation with the approval of the commission for higher
 39 education; or
- 40 (3) access to programs for military veterans, Pell Grant
 41 recipients, or other scholarships provided by the federal or
 42 state government.



1 **Sec. 12. Section 8 of this chapter does not prohibit expenditure**
2 **of state funds or federal funds if:**

3 **(1) except as prohibited under IC 21-16-2-4(4), IC 21-20-6,**
4 **and IC 21-41-4-5, the expenditure is for ministerial or**
5 **administrative activities of a program or campus activity that**
6 **is not unique to that program or campus activity; and**

7 **(2) the specific program or campus activity is otherwise**
8 **supported by private funds.**

9 **Sec. 13. A state educational institution must designate a state**
10 **educational institution official or officials who are responsible for**
11 **compliance, oversight, and adherence to the prohibited**
12 **expenditure provisions of this chapter.**

