

**UNIVERSITY OF HOUSTON SYSTEM
ADMINISTRATIVE MEMORANDUM**

SECTION: General Administration

NUMBER: 01.D.18

AREA: Legal Affairs

SUBJECT: Diversity, Equity, and Inclusion Initiatives

1. PURPOSE AND SCOPE

The University of Houston System and its universities (“UHS”) are committed to compliance with applicable federal and state laws, including Title VI of the Civil Rights Act of 1964 (“Title VI”), Title VII of the Civil Rights Act of 1964 (“Title VII”), Title IX of the Education Amendments of 1972 (“Title IX”), and [Texas Education Code Section 51.3525](#), as applicable to diversity, equity, and inclusion initiatives. This policy does not apply to statements protected by [Board of Regents Policy 21.12](#) (Freedom of Expression) and [Board of Regents Policy 21.03](#) (Academic Freedom).

2. DEFINITIONS

2.1. DEI: Diversity, equity and inclusion.

2.2. DEI Office: An office, division, or other unit of an institution of higher education established for the purpose of: (1) influencing hiring or employment practices at the institution with respect to race, sex, color, or ethnicity, other than through the use of color-blind and sex-neutral hiring processes in accordance with any applicable state and federal antidiscrimination laws; (2) promoting differential treatment of or providing special benefits to individuals on the basis of race, color, or ethnicity; (3) promoting policies or procedures designed or implemented in reference to race, color, or ethnicity, other than polices or procedures approved in writing by the institution’s general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuing compliance with any applicable court order or state or federal law; or (4) conducting trainings, programs, or activities designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, other than trainings, programs, or activities developed by an attorney and approved in writing by the institution’s general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law.

2.3. DEI Statement: Any statement, written or otherwise, made on behalf of UHS or its universities, including any division, department, or unit, that is contrary to its policies, or federal or state law, including Title VI, Title VII, Title IX, and/or [Texas Education Code Section 51.3525](#), relating to DEI.

3. POLICY

The following provisions apply to all offices, divisions, and units (academic and administrative) within UHS, unless excluded under Section 4.

- 3.1. No person shall be compelled, required, induced, or solicited to provide a DEI statement, shall make a DEI statement, or shall give preferential consideration based on the provision of a DEI statement.
- 3.2. No applicant for employment, employee, or participant in any function of UHS shall be given preference on the basis of race, sex, color, ethnicity, or national origin.
- 3.3. No training that includes content, program, or activity designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation shall be mandatory (i.e., required as a condition before a person can enroll at the university or perform any university function) unless it is developed by an attorney and approved in writing by the Vice Chancellor for Legal Affairs and General Counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order or state or federal law.
- 3.4. No division, department, or unit (academic or administrative) shall establish or maintain a DEI Office.
- 3.5. No division, department, or unit (academic or administrative) shall hire or assign an employee or contract with a third party to perform the duties of a DEI Office.

4. POLICY EXCLUSIONS

- 4.1. Required by Federal Law. This policy does not prohibit conduct that is required by federal law, even if the conduct falls under Section 3.
- 4.2. Statements to Grantor or Accrediting Agency.
 - 4.2.1. This policy does not prohibit a statement highlighting UHS' work in supporting first-generation college students, low-income students, or underserved student populations that is submitted for the purpose of applying for a grant or complying with the terms of accreditation by an accrediting agency.
 - 4.2.2. This policy does not prohibit a statement certifying compliance with state and federal anti-discrimination laws that is submitted for the purpose of applying for a grant or complying with the terms of accreditation by an accrediting agency.

4.3. Other Exclusions. This policy does not apply to any of the following:

- 4.3.1. Academic course instruction;
- 4.3.2. Scholarly research or creative work by students, faculty, or other research personnel (which may include staff), or the dissemination of that research or work;
- 4.3.3. An activity of a registered student organization;
- 4.3.4. Guest speakers or performers on short-term engagements;
- 4.3.5. A policy, practice, procedure, program, or activity to enhance student academic achievement or postgraduate outcomes that is designed and implemented without regard to race, sex, color, or ethnicity;
- 4.3.6. Data collection; or
- 4.3.7. Student recruitment or admissions.

5. NONCOMPLIANCE

An employee or contractor of UHS who violates this policy is subject to disciplinary action, up to and including termination of employment or contract, as applicable.

6. REVIEW AND RESPONSIBILITY

Responsible Party: Vice Chancellor for Legal Affairs and General Counsel

Review: Every five years

7. APPROVAL

Approved: _____
Vice Chancellor for Legal Affairs and General Counsel

Chancellor

Date: _____