



KANSAS NATIONAL EDUCATION ASSOCIATION / 715 SW 10TH AVENUE / TOPEKA, KANSAS 66612-1686

Timothy R. Graham
Director of Government Relations & Legislative Affairs
Oral Testimony – **Oppose**
House Bill 2428
House Committee on Education
February 3, 2026

Chairperson Estes, members of the Committee:

Thank you for the opportunity to testify in opposition to HB 2428.

Kansas NEA is a member-driven organization representing nearly 22,000 educators across the state of Kansas. Our members are organized into more than 275 local associations and work in schools and communities across nearly all 105 Kansas counties, serving students in urban, suburban, and rural districts alike.

The positions we advocate for are proposed, debated, and adopted by hundreds of educators selected by their peers to attend our annual Representative Assembly, reflecting the collective voice of education professionals of all political parties, beliefs, and backgrounds who are united by a commitment to Kansas public schools and the students they serve.

KNEA has several resolutions addressing academic freedom and professional discretion in education, including the following:

Resolution B-3-1, as reflected in the Kansas NEA Book of Resolutions, states:

Kansas NEA believes that academic freedom is essential to the teaching profession. Academic and literary freedom include the rights of teachers and learners to explore and discuss divergent points of view. Literary freedom includes the right of educators, especially librarians, to purchase and display books by diverse authors concerning a broad range of stories, politics, viewpoints, and content. Contentious issues should be a part of the instructional program when, in the judgment of the professional staff, the issues are appropriate to the curriculum and to the maturity level of the student. An educator shall not be fired, transferred, or removed from his or her position for refusing to suppress the free expression rights of students.

KNEA further believes that professional freedom is essential to the education profession. Professional freedom includes the educator's right to evaluate, criticize, and/or advocate a personal point of view concerning the policies and programs of the schools. Furthermore, educators must be free to depart from mandated scripted learning programs and pacing charts without prejudice or punishment. Educators also have the right to assist colleagues when their academic or professional freedoms are violated.

These resolutions form the basis for Kansas NEA's opposition to HB 2428. The following outlines several of our concerns with the provisions of this bill.

Academic Freedom and Higher Education Faculty

Kansas NEA represents nearly 1,000 higher education members working across the state in both Regents institutions and community colleges. These professionals are spread throughout Kansas, but they share a common set of deeply held beliefs about their work and their role in higher education. Central among those beliefs is a strong commitment to academic freedom—the freedom to teach, to explore ideas, and to engage students in open inquiry. As reflected in our resolutions, our members believe academic and professional freedom are essential to the education profession and that educators must be able to explore and discuss divergent viewpoints without fear of professional consequence.

Legislative Overreach into Academic Judgment

HB 2428 moves the legislature directly into decisions about curriculum, course content, and faculty evaluation that have traditionally been addressed through established academic governance structures. While the bill asserts that academic freedom is preserved, it simultaneously creates content-based restrictions and incentives that place pressure on instructional judgment and professional discretion. From the perspective of higher education faculty, this approach risks chilling legitimate academic inquiry and classroom discussion.

Appropriate Role of the Kansas Board of Regents

KNEA is not arguing that the legislature lacks the authority to engage on these issues. Rather, we **believe this type of debate is best suited to take place within the system this legislature, itself, has created to handle them—through the Kansas Board of Regents and established institutional governance processes.** Those systems exist to balance accountability with academic independence and to address complex questions of curriculum and instruction in a thoughtful, deliberative manner. HB 2428 bypasses that framework in favor of statutory mandates, setting a concerning precedent for legislative involvement in academic decision-making.

In closing, Kansas NEA urges the Committee to carefully consider the implications of this bill for higher education faculty, institutional governance, and academic freedom. We believe the concerns raised by our members warrant a more deliberate discussion within existing governance structures, rather than statutory mandates that reach into academic decision-making.

Thank you again for the opportunity to testify in opposition to HB 2428.