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Testimony on HB2428: Requiring the state board of regents to establish curricula and designate courses at postsecondary educational institutions relating to DEI-CRT-related courses and content and requiring the study of American institutions and certain programs at freshman orientations concerning free speech.

Position on HB2428: Oppose

Testimony: Oral, in person

Hearing Date: 02/03/2026

Kansas Conference of the American Association of University Professors (AAUP) Statement on HB2428

Brief Background

The American Association of University Professors was founded in early January 1915. Later the same year the American Association of Colleges & Universities (AAC&U) was founded in 1915 as the Association of American Colleges (AAC). Together they began collaborating and crafting the guiding best practices of colleges and universities. The principles have endured the test of time with endorsements of over 280 national organizations, scholarly societies, and educational associations formally endorsing it (e.g., American Economic Association, American Association of Pharmaceutical Scientists, American Society for Engineering Education, and hundreds more).

Position: Oppose

While we support an element of HB2428 (i.e., 1.D. academic freedom), we are deeply concerned about other elements of the Bill and offer these insights for consideration:

Specific Concerns:

As a matter of principle, we are convinced that the Kansas Board of Regents (KBOR) and universities are better suited than the legislative process in formulating specific and general education curricula. Too many unintended consequences may have far-reaching and long-lasting detrimental implications.

Section 1D of HB2428 states: “Nothing in this section shall be construed to limit or constrict the academic freedom of faculty or prevent faculty members from directing the instruction within such faculty member’s own class or limit the free discussion of ideas in a classroom setting.” The remainder of the bill eviscerates the principle in Section 1D because the bill defines and controls curriculum, academic programs, and general education based on a legislative definition of what is, or is not, appropriate content for college students.

1. American universities across the nation almost universally accept the definition of academic freedom grounded in the definition created by the AAUP and AAC&U, “... is the freedom of a teacher or researcher in higher education to investigate and discuss the issues in their academic field, and to teach and publish findings without interference from administrators, boards of trustees, political figures, donors, or other entities. Academic freedom also protects the right of a faculty member to speak freely when participating in institutional governance, as well as to speak freely as a citizen.” (AAUP FAQs on Academic Freedom). By defining what is or is not appropriate academic program content, HB2428 effectively violates the principles of Academic Freedom.
2. HB2428 is at odds with the standards associated with multiple disciplines and professions, including but not limited to: education, economics, social work, and nursing. Losing any accreditation, or being on probation, would have wide-ranging adverse implications for students now and in the future. Thus, passage of HB2428 could result in the loss of vital programs throughout Kansas.
3. Students who wish to pursue reputable degrees, especially ones that require accreditation, may either pursue those degrees elsewhere, or change their programs of study (e.g., majors & minors) to ones not as vital to Kansas. We already have shortages in many areas. Prospective faculty and current faculty who can, are likely seek employment where they have unfettered Academic Freedom. The loss of students and faculty will not only undermine the financial stability of universities but also damage the economies of communities where they would have lived, spent money, and paid sales taxes. HB2428 is fiscally risky at best.
4. It is fair to assume that students who wish to pursue careers in accredited programs like social work, education, and nursing will leave the state to obtain those degrees and might not return, resulting in exacerbating previously existing shortages of essential professionals in Kansas.
5. HB2428 undermines universities’ ability to attract qualified faculty who wish to teach and engage in research in areas and programs uncompromised by the academic consequences of HB2428. This is especially true in rural areas. Moreover, with the uncertainty surrounding H1B Visas, how will universities hire sufficient qualified faculty?

6. Section 2B mandates a new American institutions general education requirement for all freshman (e.g., first-year) students. There were roughly 50,000 freshmen enrolled last year. Will HB2428, which in effect, obligates colleges and universities to hire the needed faculty provide the funds?

7. HB2428 usurps KBOR higher education jurisdiction by inserting the legislature (which does not have higher education academic, administrative expertise, or experience) into general education in Kansas. This effectively replaces KBOR and local university guidance and control with the political process of the Legislature in this relatively brief session.

8. HB2428 does not just insert courses into the curriculum, but it also delegitimizes dozens of courses across the system that have gone through rigorous review and approval processes by experienced faculty members, universities, and KBOR. It thus compromises the progress to degree for thousands of students and financially compromises the students and families who primarily pay for it.

9. Finally, HB2428 treats Kansas college and university students as though they were thoroughly unable to handle opposing viewpoints, controversial theories or to make up their own minds. College and university students represent some of our best and brightest young citizens, most of whom are curious about ideas and their own learning. They are our future. We owe them the best practices in higher education.