

STATE OF KANSAS
HOUSE OF REPRESENTATIVES

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STEVEN K. HOWE
DISTRICT 71

January 31, 2024

Dear Vice Chair Sanders and esteemed members of the committee,

Thank you for taking the time to consider my proponent testimony in support of HB 2460.

When I became Chairman of this committee, I had to study what was going on in the world of higher education – from both a budgetary and policy standpoint. It didn't take long for me to learn that diversity, equity and inclusion policies at public universities were causing quite a stir on and off campus. I have conducted my own research, and I have communicated with students, faculty, university representatives and regents to learn what is going on with diversity, equity and inclusion.

During the 2023 legislative session I learned that many of our public universities in Kansas were requiring statements on diversity, equity, inclusion, and social justice as a condition for employment for various faculty and tenure-track positions. I shared many of these university job postings with the committee last year (See Exhibit A). Even today, nearly a year later, you can find many new examples of universities requiring these statements (See Exhibit B).

My concern then and now remains. Requiring statements or an adherence to a particular ideology as a condition for admissions, employment, reappointment or promotion may violate the constitutional rights of our citizens, stifles freedom of speech, curtails academic freedom, and can limit intellectual diversity, and diversity of thought on our campuses. Instead of a merit-based approach, universities have chosen to embrace ideologies which discriminate against people that do not adhere to their orthodoxy.

Despite the Legislature including a budget proviso in the budget bill last year, which nearly had two-thirds support in the House, Kansas public universities and colleges have not responded in a meaningful way to address the concerns expressed by the Legislature. Additionally, the Kansas Board of Regents, which was created by the Legislature to govern the state universities, has not taken formal action or adopted any systemwide changes pertaining to this issue. If they have, I am not aware of it.

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Because of the inaction by our public universities and colleges, I took action with the introduction of this bill. First, I reached out to the Foundation for Individual Rights and Expression and worked with their team to introduce HB2460. This legislation is narrowly focused, is measured in its approach, and is only two pages long. The heart of this legislation is that it would prohibit public post-secondary educational institutions from conditioning admissions, employment, reappointment, and promotion decisions based on a person's support or opposition to any political ideology or movement. As mentioned in Section I of the bill, these ideologies or movements would include diversity, equity, inclusion, patriotism, and related topics.

Kansas public universities and colleges belong to the taxpayers of this state. As a legislator, it is my duty to make sure that our public institutions protect the constitutional rights of all citizens and are accountable for the investments made by the taxpayers of our state and country.

I appreciate your consideration of HB2460, and I welcome questions from members of the committee.

Sincerely,

Steven K. Howe
Chairman, Higher Education Budget Committee
Kansas House of Representatives