Session of 2026

HOUSE BILL No. 2428

By Representatives K. Williams, Humphries and Lewis

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

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) Except as provided in subsection (c), the state board of regents shall establish curricula and designate courses at the postsecondary educational institutions in a manner that does not require or constrain students to enroll in a DEI-CRT-related course in order to satisfy the requirements of any academic program.

(b) An institution, or any administrator, faculty, staff or committee acting on behalf of such institution, shall not require, solicit or incentivize faculty to apply or participate in DEI-CRT practices or include DEI-CRT-related content in any course as a condition of approval, designation or listing as part of any academic degree program or as a condition of consideration in any faculty member's performance assessment, promotion, tenure, salary adjustment or any other incentive, except as provided in subsection (c).

(c) Academic program requirements whose title clearly establishes its course of study as primarily focused on racial, ethnic or gender studies may be exempted in writing by the state board of regents from the provisions of subsections (a) and (b), subject to the following:

(1) A student may not be required or constrained to enroll in any such program or course in order to satisfy the requirements of any other academic program.

(2) Courses offered or listed under such programs shall satisfy the academic program requirements of such program only and shall not be used to satisfy degree requirements for any other academic program beyond satisfying institution credit hour graduation requirements.

(3) The title of any currently established department or academic program shall not be altered or replaced to establish an emphasis on racial, ethnic or gender studies.

(d) Nothing in this section shall be construed to limit or restrict 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.

(e) As used in this section:

(1) "Academic program" includes any credential, certificate or degree program at a postsecondary educational institution.

(2) "Constrain" means failure during any semester to provide sufficient open seats in alternative courses for a student to complete or progress toward completion of an academic program.

(3) "DEI-CRT" means diversity, equity and inclusion and critical race theory.

(4) "DEI-CRT-related course" means any course whose course description, course overview, course objectives, proposed student learning outcomes, written examinations or written or oral assignments for which the student will receive a grade, include DEI-CRT-related content.

(5) "DEI-CRT-related content":

(A) Means content that does one or more of the following:

(i) Relates any of the following topics to contemporary American society: Critical theory, whiteness, systemic racism, institutional racism, anti-racism, microaggressions, systemic bias, implicit bias, unconscious bias, intersectionality, gender identity, social justice, cultural competence, allyship, race-based reparations, race-based privilege, race-based or gender-based diversity, race-based or gender-based equity or race-based or gender-based inclusion;

(ii) promotes the idea that racially neutral or colorblind laws, policies or institutions perpetuate oppression, injustice, race-based privilege, including white supremacy or white privilege, or inequity by failing to actively differentiate on the basis of race, sex or gender;

(iii) promotes the differential treatment of any individual or groups of individuals based on race or ethnicity in contemporary American society; or

(iv) promotes the idea that a student is biased on account of such student's race or sex; and

(B) does not include identifying and discussing historical movements, ideologies or instances of racial hatred or discrimination, including, but not limited to, slavery, Indian removal, the Holocaust or Japanese-American internment.

(6) "DEI-CRT practices":

(A) Include:

(i) Any requirement or guidance that faculty include or curate materials on the basis of the race, sex or gender identity of an author or authors; and

(ii) participating in any workshop, training, seminar or professional development on any DEI-CRT-related content; and

(B) do not include any programming explicitly required by, and limited to, the institution's obligations to comply with title IX of the education amendments of 1972, as amended, the rehabilitation act of 1973, as amended, the Americans with disabilities act, as amended, the age discrimination in employment act, as amended, title VI of the civil rights act of 1964, as amended, or applicable court order.

(7) "Postsecondary educational institution" or "institution" means any public university, municipal university, community college and technical college and includes any entity resulting from the consolidation or affiliation of any two or more of such postsecondary educational institutions.

Sec. 2. (a) A postsecondary educational institution shall award degrees and diplomas on the completion of such courses and curriculum requirements as such institution deems appropriate in a manner that, for students completing an undergraduate bachelor's degree program in school year 2027-2028 and thereafter, shall include among general education requirements the study of American institutions as described in subsection (b).

(b) In order for a course to satisfy the American institutions general education requirement, such course:

(1) Shall include:

(A) An understanding and appreciation of the basic principles of American constitutional democracy and how they are applied under a republican form of government, including:

(i) The constitution of the United States and major American constitutional debates and developments;

(ii) a limited federal government of enumerated powers;

(iii) a federal system that respects the dual sovereignty of the states;

(iv) the separation of powers;

(v) a network of checks and balances;

(vi) equal protection under the law;

(vii) freedom of speech; and

(viii) landmark supreme court cases that have shaped law and society;

(B) significant use of the nation's essential founding documents and other primary source materials, including significant use of, at a minimum, the constitution of the United States, the declaration of independence and the federalist papers, and how such documents have shaped the nature and functions of American institutions of self-governance; and

(C) a comparative discussion of the impacts of political ideologies of communism and totalitarianism that conflict with the principles of freedom and democracy that are essential to the founding principles of the United States; and

(2) may, if offered as part of a two-course sequence on the

constitution of the United States, satisfy the requirements of this section upon a student's completion of both courses, provided that the courses together meet the content requirements prescribed in this subsection.

(c) As used in this section, "postsecondary educational institution" or "institution" means any public university or municipal university.

Sec. 3. (a) Freshman orientation programs at postsecondary educational institutions:

(1) Shall include:

(A) A section describing to all students the policies and rules and regulations regarding free expression consistent with state and federal law; and

(B) programming that includes, at a minimum:

(i) The text of the first amendment of the constitution of the United States;

(ii) resources discussing the principles and importance of free speech and viewpoint diversity; and

(iii) historical examples demonstrating the necessity of protecting unpopular speech in the United States and other nations; and

(2) may offer programming pertaining to DEI-CRT-related content only during orientation sessions in which students are offered a selection of sessions on unrelated topics comparably promoted or advertised by the institution.

(b) Each institution shall make available on its website, to the maximum extent allowed by law, a copy of or link to any audio or video materials, printed materials or presentation slides distributed or presented to students as part of the freshman orientation programming related to diversity, equity and inclusion and gender identity or any DEI-CRT-related content.

(c) As used in this section, "postsecondary educational institution," "institution" and "DEI-CRT-related content" mean the same as defined in section 1, and amendments thereto.

Sec. 4. If any provision of this act or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act that can be given effect without the invalid provision or application, and to this end, the provisions of this act are declared to be severable.

Sec. 5. This act shall take effect and be in force from and after its publication in the statute book.