

February 3, 2026

The Honorable Susan Estes, Chairperson
House Committee on Education
300 SW 10th Avenue, Room 218-N
Topeka, Kansas 66612

Dear Representative Estes:

SUBJECT: Fiscal Note for HB 2428 by Representatives K. Willaims, Humphries, and Lewis

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2428 is respectfully submitted to your committee.

HB 2428 would require the Board of Regents to establish curricula and designate courses at the postsecondary educational institutions in a manner that does not require or constrain students to enroll in a Diversity, Equity, and Inclusion-Critical Race Theory (DEI-CRT)-related course to satisfy the requirements of any academic program.

An institution, administrator, faculty, staff, or committee acting on behalf of the institution could 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. However, an exception in writing by the Board would be made for academic program requirements in which the title clearly establishes the course of study as primally focused on racial, ethnic, or gender studies, subject to the following:

1. A student may not be required or constrained to enroll in any program or course to satisfy the requirements of any other academic program;
2. Courses offered or listed under the programs would be required to satisfy the academic program requirements of the program only and would not be required to be used to satisfy the degree requirements for any other academic program beyond satisfying institution credit hour graduation requirements; and
3. The title of any currently established department or academic program could not be altered or replaced to establish an emphasis on racial, ethnic, or gender studies.

The bill would specify that nothing in its provisions would be construed to limit or restrict academic freedom of faculty or prevent faculty members from directing the instruction within the faculty member's own class or limit the free discussion of ideas in a classroom setting. The bill would define "academic program," "constrain," "DEI-CRT," "DEI-CRT-related course," "DEI-CRT-related content," "DEI-CRT practices," "postsecondary educational institution," and "institution."

For students completing an undergraduate bachelor's degree program in school year 2027-2028 and in subsequent school years, each institution would be required to include among general education requirements the study of American institutions as outlined in the bill. Also, postsecondary educational institutions would be required to include certain programs for freshman orientation programs concerning free expression, free speech, and DEI-CRT-related content as outlined in the bill.

Each institution would be required to make available on its website a copy of or link to any audio or video materials, printed materials, or presentation slides distributed presented to students as part of the freshman orientation programming related to gender identity or any DEI-CRT related content.

The Board of Regents states the bill's enactment would have a fiscal effect on the operations of the agency. The Board indicates it would have to work with all the universities to review the learning outcomes for every course listed on the master course list of all institutions to ensure the removal of content prohibited by the bill and expanded review and verification would be required by both the agency and the Systemwide General Education Council (SWGEC) to ensure alignment with the seven-bucket general education framework. If enacted, the Board states the Transfer and Articulation Council and the Kansas core outcomes groups would have to complete a full review of the 130 courses in the Kansas Transfer Portal within a single year rather than the current five-year cycle. In addition, the agency would need to facilitate the development and approval of a new U.S. government course, carry it through the review process, add it to the transfer portal, and coordinate institutional submissions to master course lists for SWGEC verification. However, the Board did not estimate a fiscal effect.

To implement the bill's provisions, Fort Hays State University indicates it would need an additional \$660,600 in FY 2027 and \$644,000 in FY 2028 from the State General Fund, along with an additional 6.00 FTE positions for both fiscal years. Of the FY 2027 amount, \$644,000 would be for salaries and wages for an additional 6.00 FTE Instructor positions at a total cost of \$420,000 and additional Graduate Teaching Assistants at a total cost of \$220,800 to teach the new course specified in the bill and \$3,200 would be for other operating expenditures. The remaining \$16,600 is for one-time costs for other operating expenditures to update materials and implement the new curriculum specified in the bill.

Emporia State University (ESU) indicates the bill's provisions could be implemented within existing resources if enacted; however, ESU estimates there could be additional costs if alternative course sections need to be added to avoid constraint and whether existing courses could meet the bill's provision concerning the American institutions general education requirement.

Pittsburg State University estimates additional State General Fund expenditures of \$500,000 in FY 2027 and \$300,000 in FY 2028 to implement the provisions of the bill. Of the FY

2027 amount, \$300,000 would be for ongoing costs, including \$125,000 would be for an additional FTE Instructor position and for additional adjutant faculty to teach the new course the bill requires. The remaining \$175,000 would be to monitor social media accounts and websites and to conduct training sessions when needed. Also, for FY 2027, PSU estimates one-time costs of \$200,000 for making curricular modifications, catalog updates, website edits, and reprinting marking materials.

Kansas State University (KSU) estimates additional expenditures of \$2.1 million in FY 2027 and \$1.1 million in FY 2028 from the State General Fund. Of the FY 2027 amount, \$760,000 would be for additional Teaching Professors and \$349,600 would be for additional Graduate Teaching Assistants to teach the new class specified in the bill. KSU indicates that the additional Teaching Professors and Graduate Teaching Assistants are part-time positions. The remaining \$966,700 would be for one-time costs for salary and wages, systems consulting, and material costs to implement the bill's provisions.

The University of Kansas (KU) estimates additional State General Fund expenditures of \$1.8 million in FY 2027 and \$1.5 million in FY 2028, along with an additional 12.00 FTE positions in both fiscal years to implement the bill's provisions. Of the FY 2027 amount, \$1.3 million would be for ongoing expenditures, including \$999,996 for an additional 12.00 FTE Teaching Professor positions and \$287,495 for additional Graduate Teaching Assistants to teach the new class specified in the bill and \$216,000 would be for current staff to conduct training and for professional development. The remaining \$275,000 would be for one-time costs for salaries and wages and other operating expenditures for current staff to perform one-time activities, including updating orientation materials and training advisors.

The University of Kansas Medical Center (KUMC) estimates there would be additional costs to implement to the bill; however, KUMC cannot estimate a fiscal effect at this time.

Wichita State University (WSU) states there could be additional costs to implement the bill's provisions; however, WSU is unable to estimate a fiscal effect at this time. Any fiscal effect associated with HB 2428 is not reflected in *The FY 2027 Governor's Budget Report*.

Sincerely,



Adam C. Proffitt
Director of the Budget

cc: Becky Pottebaum, Board of Regents
Stephanie McDowell, Kansas State University
Jeff Dewitt, University of Kansas
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