



Help Wanted: AAUP-TXST Calls for New Spirit of Leadership to Rescue Academic Freedom

(San Marcos, TX – May 8, 2026) During a three-day celebration from May 14-16, 2026, Texas State University will hold eight commencement ceremonies to honor the graduation of more than 4,800 students. As the university rightfully boasts: “TXST programs across disciplines are regularly ranked as some of the best in the state, nation, and world. Our achievements also include expanding access to higher education, ensuring our students succeed before and after graduation, and conducting world-class research with real-world impact” ([Rankings and Accolades](#), Accessed May 6, 2026).

Among the graduates will be newly qualified PhD’s in numbers that support the University’s aspiration to become a top tier “R1” research university. As the University President rightfully declares: “Texas State has achieved remarkable research and enrollment growth over the years without losing our unique identity – without forgetting Texas State’s roots and values. And, without sacrificing the emphasis on quality teaching” ([Why Run to R1](#), Accessed May 6, 2026).

Fellow students and families will proudly cheer the well-deserved accomplishments of each and every graduate who has sacrificed the time and resources needed to earn a smile of beaming pride.

Faculty dressed in ceremonial gowns will be there to witness a harvest of work they have also put into learning their various disciplines, planning their numerous courses, and teaching their rosters of students over many decades of remarkable success.

And yet, amid the pomp and joy of it all, few will notice that the foundations of free inquiry are cracking under the weight of paranoia and disregard. But it’s not too late to launch a rescue effort to restore academic freedom at Texas State University, that is, if leadership would support such an excellent mission.

SB 17 and Academic Freedom

When the Texas legislature outlawed DEI activities on campus three years ago with the passage of SB 17, AAUP-AFT members lobbied lawmakers to carve out clear exceptions to the ban. “We are closing DEI offices,” said the House sponsor of the bill during floor debate. “And I can think we can all agree on diversity and academic free speech—that they will not be limited in this legislation” (88th Leg. Day 67 Supplement, S61). Indeed, the University policy that implemented SB 17 in 2024 was faithful to the letter of the law, stating clearly and up front that: “The prohibitions stated in this policy do not apply to the following: (a) academic course instruction; (b) scholarly research or a creative work by a student or faculty” ([UPPS No. 01.04.46](#), Accessed May 7, 2026).

The SB 17 carveouts for teaching, scholarship, and creative work affirm a key principle of the AAUP’s founding document—the *1915 Declaration of Principles*—which argues that Academic Freedom comprises three elements: “freedom of inquiry and research, freedom of teaching within the university or college, and freedom of extramural utterance and action” (AAUP Policy 12th ed., 4). To nurture these freedoms, the *1915 Declaration* establishes a principle of governance by which “faculties hold an independent place with quite equal responsibilities” to that of trustees. In fact, on matters of “purely scientific and educational questions” the 1915 principles establish that faculty hold “primary responsibility” (AAUP Policy 12th ed., 6).

Despite the letter of the law in Texas or AAUP principles of Academic Freedom, SB 17 helped to unleash a spirit of tyranny across the landscape of teaching and learning in Texas. Scrupulous energies were applied to scrubbing out all traces of diversity, equity, and inclusion, even as the scholarly protections of SB 17 were overlooked. Academic departments at Texas State University were compelled by the Texas State University System to sign two-page attestations of compliance to a 27-step review cycle “under penalty of perjury and the loss of funding.” And yet, nowhere in the prepared attestations or the 27 steps were academic departments asked to make sure that SB 17 was having no effect on teaching or scholarship.

Meanwhile a hasty review of university-wide curriculum, ordered by Texas State University System administrators trampled over the respect for faculty autonomy that the letter of SB 17 guarantees. Under the guise of compelling a “neutral tone into curricular components,” a 16-page memo from the University Office of Academic Innovation itemized words that faculty could or could not use to name courses or describe their curriculum.

A recent email from the University President outlines the duties of campus compliance with SB 17 and includes a link to the text of the bill. But the 500-word summary provided by the President fails to mention that it would be a violation of SB17 to apply its prohibitions to teaching, scholarship, or creative work by faculty and students (SB 17 Bill Text, page 3, lines 25-27).

Failure on the part of office holders and administrators—especially academic administrators—to quote and uphold the lawful protections of academic freedom in SB 17 must be counted as evidence of their failure to lead.

AAUP-TXST calls upon administrators and office holders in Texas to end their selective silence and reverse their policy-making that ignores the SB 17 protections of academic freedom. A university that has achieved academic excellence worthy of Carnegie R1 recognition has a right to demand leadership worthy of such excellence.

Meanwhile, in the face of official silence on the matter, faculty who point out that SB 17 does not apply to their academic work are given scant credit for their diligence. More likely, they are prone to experience public humiliation and outcry without anyone up the chain of command coming to their rescue. Thrown under the bus is the common phrase for how faculty and students are made to feel if they appeal to the few lawful protections afforded to them under SB 17.

The rhetorical field of analysis has been further corrupted by objections to so-called “overcompliance” with SB 17. But when SB 17 is used to interfere with teaching and scholarship, that is not overcompliance with any law: it is lawbreaking, plain and simple.

The Legacy of LBJ's Legislation

As we approach the 100-year anniversary of the graduation of Lyndon Baines Johnson, we recall that he earned his degree on a segregated campus. Because of the Civil Rights Movement and the legislation that LBJ signed into law during the 1960's, an era of equal opportunity was ushered in, and today the campus is “majority minority.” As the spirit of SB 17 tramples over the letter of its stated protections, it advances a full speed rollback of civil rights across the spectrum. But faculty who participated in—and benefitted from—the transformations of the past sixty years maintain their professional responsibility to uphold the legacy of civil rights and serve the interests of the public good as they see fit, including the freedom to apply their disciplinary expertise and their professional ethics to critical lessons from the Civil Rights Era in their teaching, their scholarship, and their extramural speech. In doing so, they also happen to honor the legislative legacy of our most accomplished graduate.

In a public testament to the chilling spirit of SB 17 across Texas, students at Texas Tech University plan to stage a funeral procession to mourn the death of Academic Freedom on their campus, too. We applaud their exercise of free expression as guaranteed by the First Amendment of the US Constitution and codified into Texas law by another important stipulation of SB 17 that exempts the activities of any “registered or recognized student organization.”

As the *1915 Declaration of Principles* seeks to affirm: a university campus should serve as an “inviolable refuge” from the “tyranny of public opinion” (AAUP Policy 12th ed., 8). The AAUP *1940 Statement of Principles on Academic Freedom and Tenure* declared well before the Civil Rights Era that “Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free exposition” (AAUP Policy Docs. 12th ed, 14). But faculty alone cannot secure a campus refuge for the common good through their teaching and scholarship if leadership has gotten into a habit of joining the vigilante forces instead of standing up to them.

Integrity Across Disciplines

Nor are the grave implications of failed leadership confined to academic fields in the humanities. Once the protections against vigilante pressure are loudly stripped away from a few academic disciplines, the public will have reason to question the integrity of the institution itself. An R1 university is entrusted with serious missions to develop knowledge in fields with life and death consequences, such as nursing, public safety, and concrete sciences. This is why the “primary responsibility” of faculty must be asserted and protected regardless of discipline. Any public display of political ability to bend the field of expertise in *some* disciplines cannot add to the credibility of integrity for other disciplines across campus.

The Lost Lesson of SB 37

We have said it before, but it bears repeating: What is new this past year is not SB 17, which has been in practical effect since 2023. What is new this year is the effect of SB 37, which, when combined with the anti-tenure precedent of SB 18, has stripped faculty from their rightful roles in fulfillment of the three “primary responsibilities” identified by the AAUP’s widely regarded *Statement on Government of Colleges and Universities*: “The faculty has primary responsibility for such fundamental areas as curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process” (AAUP Policy 12th ed., 121).

SB 18 was a shot across the bow of these principles in 2023, when it appropriated the tenure process to the legislature—a process that rightfully belongs under the primary purview of faculty, who are most equipped to judge the worth of their colleagues. But insult was added to injury in 2025 when the legislature passed SB 37, a bill that abolished elected faculty senates in favor of advisory groups over which the campus President appoints the leadership and half the members.

SB 37 is a manifest contradiction of the principle found in the AAUP *Statement on Government of Colleges and Universities* that “faculty representatives should be selected by the faculty according to procedures determined by the faculty” (AAUP Policy 12th ed., 123). Faculty no longer have the protections that elected faculty grievance committees can provide. Faculty shared governance has been truncated with breathtaking speed to such an extent that current practices have actually become lawless, as we have demonstrated with respect to recent failures to protect the integrity of teaching and learning from vigilante politics, even when those protections have yet to be erased from the letter of the law.

The formalities of shared governance have been rendered bad manners in Texas, which cannot be good news in the long run, whether you are a faculty member, a student, a parent, an employer, or the bond holder of any serious enterprise that is built upon foundations of R1 expertise.

Moreover, SB 37 is a contradiction to the Texas law that it purports to amend. Chapter 51 of the Texas Education Code was left untouched in that portion of the law which sets forth the “general responsibility” that “each institution of higher education” has to “serve the public” and “protect intellectual exploration and academic freedom” (SB 37, p. 4; [Texas Education Code Sec. 51.354](#)). The deep corruption of SB 37 is that it goes on to define academic freedom in terms that

are antithetical to its authentic practice. Leadership worthy of academic excellence should point out the contradictions within SB 37 and side with the spirit of general responsibility to academic freedom for which the law makes every college or university responsible.

Scholars Deserve Excellent Leadership

Throughout a turbulent year of shocks and surprises, members of AAUP-TXST have endeavored to make the case for a return to time honored principles of AAUP academic freedom. And we have called on University leadership to restore the careers of colleagues who have been unjustly punished. But the vast majority of our time this past year has been spent teaching and learning. Our work in the classrooms will be seen in many thousands of proud smiles during the mid-May commencements. We thank our students for what they have taught us over the years, and we rededicate ourselves to a profession that endeavors to serve the truth and the common good. But our conscience also calls out: things are not headed in an excellent direction. A rescue mission for academic freedom is needed right now along with the leadership to go with it.

###