



February 24, 2026

Renu Khator
Office of the President
University of Houston
4302 University Drive, Room 212
Houston, Texas 77204-2018

URGENT

Sent via U.S. Mail and Electronic Mail (president@uh.edu)

Dear President Khator:

FIRE, a nonpartisan nonprofit that defends free speech,¹ writes to remind the University of Houston of the First Amendment's protections for academic freedom. Our reminder is prompted by your administration's "Faculty Self-Evaluation Guidelines for Curriculum Review," recently sent to faculty. The document requires faculty to review their course learning outcomes and objectives and ensure the materials "support the stated learning outcomes and do not require students to adopt, affirm, or comply with specific political, ideological, or belief-based viewpoints."²

The university's imposition of these new requirements raises concerns because it arrives as faculty at public institutions across Texas face sweeping prohibitions on instruction involving questions of race and gender. Under political pressure, administrators at campuses across the state have censored and cancelled classes because they include discussion of politically disfavored ideas.³ In light of this larger context, it is impossible for faculty at UH to separate these evaluations—which require a broad range of affirmations, some permissible, some

¹ For more than 25 years, FIRE has defended free expression and other individual rights on America's university campuses. We invite you to learn more about our mission and activities at fire.org.

² *Faculty Self-Evaluation Guidelines for Curriculum Review*, UNIV. OF HOU., available at [https://img1.wsimg.com/blobby/go/f19a4170-8a47-45ec-b11a-6a1582d61665/downloads/e365e443-c7b6-4bb9-9fea-70467c3cc714/UH%20Faculty%20Guidelines%20Revised%20202102026%20\(jb\)%5B64.pdf?ver=1771289109266](https://img1.wsimg.com/blobby/go/f19a4170-8a47-45ec-b11a-6a1582d61665/downloads/e365e443-c7b6-4bb9-9fea-70467c3cc714/UH%20Faculty%20Guidelines%20Revised%20202102026%20(jb)%5B64.pdf?ver=1771289109266).

³ See, e.g., Jessica Priest and Sneha Dey, *About 200 Texas A&M courses could change due to new restrictions on teaching gender, race*, TEX. TRIB. (Jan. 7, 2027, 6:56 PM) <https://www.texastribune.org/2026/01/07/texas-am-race-gender-courses/>; Graham Piro, *He refused to censor his syllabus — so Texas Tech cancelled his class*, FIRE (Feb. 17, 2026) <https://www.fire.org/news/he-refused-censor-his-syllabus-so-texas-tech-cancelled-his-class>.

impermissible—from concurrent attacks on academic freedom statewide. The reality today is that faculty at Texas’s public institutions of higher education face heavy pressure to avoid topics of race and gender. Against this backdrop, FIRE is concerned that without clarification, UH’s new mandated affirmations will chill faculty from discussing pedagogically relevant ideas and concepts in their classroom instruction out of fear of punishment. The resulting silence should be unacceptable at an American public university.

As a public institution, the University of Houston is obligated to protect the First Amendment rights of its students and faculty, which include the right to academic freedom.⁴ As the Supreme Court made clear nearly sixty years ago, academic freedom is “a special concern to the First Amendment” and its protection is “of transcendent value to all of us and not merely to the teachers concerned.”⁵ Per longstanding guidance from the American Association of University Professors’ canonical *1940 Statement of Principles on Academic Freedom and Tenure*, academic freedom includes “full freedom in research and in the publication of the results” and “freedom in the classroom in discussing their subject.”⁶ As the Court made clear in its landmark 1957 decision in *Sweezy v. New Hampshire*:⁷

The essentiality of freedom in the community of American universities is almost self-evident. No one should underestimate the vital role in a democracy that is played by those who guide and train our youth. To impose any strait jacket upon the intellectual leaders in our colleges and universities would imperil the future of our Nation. ... Teachers and students must always remain free to inquire, to study and to evaluate, to gain new maturity and understanding; otherwise our civilization will stagnate and die.

These protections for academic freedom mean that UH administrators cannot obligate faculty to affirm that “[p]odcasts, TED Talks, YouTube, journalism, or websites” they use when teaching “are intentionally paired with contrasting or varied perspectives where appropriate,” or to affirm that “multiple perspectives are considered.”⁸ While these practices may be pedagogically useful in approaching certain topics, decisions about relevant materials must be made by faculty, not imposed as a blanket requirement by administrative fiat without regard for the needs of a particular course of study. Forcing faculty to necessarily include “multiple perspectives” on every issue is an impermissibly broad intrusion on faculty’s ability to determine how best to teach a given subject to students.

⁴ See *Healy v. James*, 408 U.S. 169, 180 (1972) (“[T]he precedents of this Court leave no room for the view that, because of the acknowledged need for order, First Amendment protections should apply with less force on college campuses than in the community at large. Quite to the contrary, ‘the vigilant protection of constitutional freedoms is nowhere more vital than in the community of American schools.’”) (internal citation omitted).

⁵ *Keyishian v. Bd. of Regents*, 385 U.S. 589, 603 (1967).

⁶ *1940 Statement of Principles on Academic Freedom and Tenure*, AM. ASS’N OF UNIV. PROFESSORS, 14, <https://www.aaup.org/sites/default/files/1940%20Statement.pdf>.

⁷ 354 U.S. 234, 250 (1957).

⁸ *Self-Evaluation Guidelines*, *supra* note 2.

Likewise, policies that specify how and whether certain pedagogically relevant viewpoints may be discussed violate academic freedom. Requiring faculty to affirm that class materials “do not require students to adopt or affirm political, ideological, or belief-based viewpoints,”⁹ for example, could be reasonably construed as prohibiting faculty from pursuing pedagogical exercise that assigns students a specific viewpoint to argue or oppose in class. Eliminating that option for faculty members is impermissible under academic freedom’s basic tenets.

To be sure, academic freedom does not protect indoctrination. When a faculty member “insists that students accept as truth propositions that are in fact professionally contestable ... advanc[ing] such propositions dogmatically, without allowing students to challenge their validity or advance alternative understandings, the instructor stands guilty of indoctrination.”¹⁰ This is a foundational and well-understood bar. For more than a century, faculty have recognized that professional responsibility cautions against “taking unfair advantage of the student’s immaturity by indoctrinating him with the teacher’s own opinions before the student has had an opportunity fairly to examine other opinions upon the matters in question.”¹¹

But these existing professional obligations do not require and cannot justify dictating pedagogical choices to faculty about in-class instructions or course assignment. Taken against the backdrop of egregious violations of faculty rights at other Texas institutions, UH’s mandatory affirmations risk casting “a pall of orthodoxy over the classroom” at odds with UH’s binding obligations under decades of legal precedent protecting academic freedom.¹²

Finally, we remind UH that faculty members have the right to speak as private citizens on matters of public concern.¹³ This includes the right to talk to media outlets about their areas of expertise or other related matters. A recent email sent by the Dean of the College of Liberal Arts and Sciences told faculty that “university policy requires that all media inquiries must be routed through UH Media Relations,” and adds that faculty “can comment on [their] own research, and the research and the other academic activities of [their] unit.”¹⁴ Faculty speech, as a general rule, may not be protected if it occurs pursuant to a faculty member’s normal job

⁹ *Self-Evaluation Guidelines*, *supra* note 2 at “Assess Required Course Materials.”

¹⁰ *Freedom in the Classroom*, AM. ASS’N OF UNIV. PROFESSORS, https://www.aaup.org/reports-publications/aaup-policies-reports/topical-reports/freedom-classroom_

¹¹ *1915 Declaration of Principles on Academic Freedom and Academic Tenure*, AM. ASS’N OF UNIV. PROFESSORS, https://www.aaup.org/NR/rdonlyres/A6520A9D-0A9A-47B3-B550-C006B5B224E7/0/1915Declaration.pdf_

¹² *Keyishian*, 385 U.S. at 603.

¹³ *Connick v. Myers*, 461 U.S. 138, 140 (1983).

¹⁴ Email from the Dean of College of Liberal Arts and Sciences to Faculty (on file with author).

duties.¹⁵ But the First Amendment protects professors' academic freedom to express ideas that "serve an academic purpose."¹⁶

We therefore urge UH to clarify to faculty that none of the provisions in the self-evaluation undermine UH's commitment to the First Amendment and academic freedom, nor will declining to affirm the provisions be held against faculty in violation of their right to make individualized pedagogical choices about classroom instruction. We request a substantive response to this letter no later than Tuesday, March 10.

Sincerely,



Graham Piro
Faculty Legal Defense Fund Fellow, Campus Rights Advocacy

Cc: Diane Z. Chase, Provost
Dona H. Cornell, Vice Chancellor/Vice President for Legal Affairs and General Counsel
Elena L. Grigorenko, Faculty Council President

¹⁵ *Garcetti v. Ceballos*, 547 U.S. 410 (2006). The fact that faculty necessarily express themselves on such matters as part of their normal job duties as educators and scholars has led many U.S. Circuit Courts to hold that general rule does not apply to faculty's academic speech. *See, e.g., Meriwether v. Hartop*, 992 F.3d 492 (6th Cir. 2021); *Demers v. Austin*, 746 F.3d 402, 412 (9th Cir. 2014); *Adams v. Trs. of Univ. of N.C.-Wilmington*, 640 F.3d 550 (4th Cir. 2011).

¹⁶ *Demers*, 746 F.3d at 412 (faculty speech "related to scholarship and teaching" enjoys robust First Amendment protection); *see Hardy v. Jefferson Cmty. Coll.*, 260 F.3d 671, 680 (6th Cir. 2001) (rejecting "the argument that teachers have no First Amendment rights when teaching, or that [authorities] can censor teacher speech without restriction" as "totally unpersuasive").