

July 21, 2026

Harrison Keller
Office of the President
University of North Texas
1155 Union Circle, #311425
Denton, Texas 76203-5017

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

Dear President Keller:

FIRE, a nonpartisan nonprofit dedicated to defending freedom of speech,¹ is concerned by the University of North Texas's decision not to fund UNT journalism professors' membership to the Association for Education in Journalism and Mass Communication, citing SB 17² to justify the denial. Yet the language of SB 17—which prohibits public institutions of higher education from maintaining diversity, equity, and inclusion offices or hiring third parties to perform the duties of such offices—does not mandate that choice. Further, its application in this instance ignores UNT's obligation to fund faculty membership requests in a viewpoint-neutral manner. Accordingly, we urge UNT to reverse its decision and approve these requests.

Since 2005, UNT journalism professor Tracy Everbach has attended the annual Association of Education in Journalism and Mass Communication (AEJMC) conference.³ AEJMC is an educational nonprofit that cultivates research and curricular developments in communications fields,⁴ including law and policy, media ethics, advertising, and cultural studies.⁵ Since SB 17 was enacted in 2024, UNT has funded Everbach and her colleagues' AEJMC memberships—until this summer.

¹As you may recall from prior correspondence, the Foundation for Individual Rights and Expression defends freedom is a nonpartisan nonprofit dedicated to defending freedom of speech. You can learn more about our mission and activities at fire.org.

² Texas Ed. Code § 51.3525 *et seq.*

³ Gianna Jakubowski, *North Texas Denies Faculty Conference Funding, Citing Anti-DEI Provisions*, INSIDE HIGHER ED. (July 9, 2026), <https://www.insidehighered.com/news/faculty/academic-freedom/2026/07/09/north-texas-denies-faculty-conference-funding>. The recitation of facts here reflects our understanding of the pertinent information. We appreciate that you may have additional information to offer and invite you to share it with us.

⁴ *About Us*, AEJMC, <https://www.aejmc.org/about/about-us>.

⁵ *AEJMC Divisions, Interest Groups & Commissions (DIGs)*, AEJMC, <https://www.aejmc.org/about/groups>.

At its upcoming August conference, Everbach and a colleague had planned to present results of a project in which students learned to cover historically misrepresented communities.⁶ But on June 30, Everbach and at least five of her colleagues received a memo from UNT's University Integrity & Compliance office denying funding for their AEJMC memberships, which are required to attend and present research at AEJMC.⁷ UNT cited five SB 17 provisions that prohibit universities from promoting DEI policies and performing the duties of DEI offices.⁸ On July 16, Vice President and Chief Integrity Officer Clay Simmons wrote Everbach explaining that "based on [UNT's] findings, the AEJMC is performing the duties of a DEI office, and an institutionally funded membership is therefore prohibited."⁹

Simmons specifically referenced AEJMC's Code of Ethics provision saying that AEJMC members "work to ensure that racial, gender, and cultural inclusiveness are included in curricula, considered during hiring decisions, and taken seriously by media organizations with which we collaborate. We encourage AEJMC divisions and interest groups to embrace racial, gender, and cultural inclusiveness and include populations historically excluded from public communication."¹⁰ In answer to this concern, on July 17, Everbach emailed Simmons that the AEJMC executive director had clarified, "Like any code of ethics for a voluntary membership organization, the AEJMC Code of Ethics is aspirational and adherence to it is strictly voluntary."¹¹ Everbach also noted to Simmons that she would not use any institutionally funded membership in a manner that would violate state law.

In denying funding for these professors' AEJMC memberships, UNT has incorrectly applied SB 17's rules to AEJMC, an external organization that does not require members to perform DEI duties. This is clearly outside of SB 17's defined scope. A DEI office is defined as an "office, division, or other unit of *an institution of higher education*" that is "established *for the purpose of*" pursuing specific goals or performing certain actions.¹² AEJMC is not a "unit of an institution," nor was it established for any of the purposes specified in SB 17. And while SB 17 also prohibits "contract[ing] with a third party *to perform the duties*" of such an office, paying

⁶ Jakubowski, *supra* note 2.

⁷ Letter from UNT University Integrity & Compliance to Tracy Everbach, professor (June 30, 2026) (on file with author). The university explained it would pay for travel expenses to conferences "that support their professional roles, even if membership funding is not allowed." However, for communications professors seeking to "support their professional roles" by attending AEJMC, they must be members to attend. *AEJMC 2026 Conference*, AEJMC, <https://www.aejmc.org/aejmc-events/conference/registration> ("conference attendees must be AEJMC members").

⁸ Letter from UNT University Integrity & Compliance to Everbach, *supra* note 8. The provisions the letter cites are Texas Ed. Code § 51.35.25(a)(2), (a)(3), (a)(4), (b)(1)(B), and (b)(1)(D).

⁹ Letter from Clay Simmons, Vice President and Chief Integrity Officer, to Everbach, professor (July 16, 2026) (on file with author).

¹⁰ *AEJMC Code of Ethics*, AEJMC, <https://www.aejmc.org/about/code-of-ethics-policies/preamble-core-values>.

¹¹ Letter from Everbach, professor, to Simmons, Vice President and Chief Integrity Officer (July 17, 2026) (on file with author).

¹² Texas Ed. Code § 51.3525(a).

for a professor's membership to AEJMC cannot be construed as such a contract, since members have no obligation to perform such duties.

Furthermore, UNT's decision also ignores the law's express provisions protecting scholarly research and its dissemination. Section (d)(3) specifically states that the law's restrictions on institutional units do *not* apply to "scholarly research or a creative work by an institution of higher education's students, faculty, or other research personnel or the dissemination of that research or work,"¹³ which exactly describes what Everbach and her colleagues planned to do at the AEJMC conference. Their memberships to AEJMC would permit them to do so and would not oblige them to "perform the duties" of a DEI office.¹⁴

UNT's decision of whether to fund faculty membership in an organization must be made in a viewpoint-neutral manner.¹⁵ But UNT's application of SB 17 in this instance resulted in viewpoint discrimination. The university has denied Everbach and her colleagues funding while continuing to fund other memberships, basing its decision on AEJMC's views on diversity. Denying funding for faculty memberships to AEJMC while allowing it for other memberships in organizations with different views on DEI-related issues constitutes viewpoint discrimination, an "egregious" form of censorship.¹⁶ Simply put, UNT cannot single out faculty association memberships for funding denial because it dislikes the association's message. UNT must reverse course by adhering to viewpoint-neutral criteria in making such decisions.

The language of SB 17 does not require UNT to deny this funding requests, and its application in this instance ignores UNT's obligation to fund faculty membership requests in a viewpoint-neutral manner. We accordingly request a substantive response to this letter no later than the close of business on August 4, confirming that UNT will approve funding membership to AEJMC for these professors.

Sincerely,



Marie McMullan
Student Press Counsel, Campus Rights Advocacy

Cc: Clay Simmons, Vice President and Chief Integrity Officer
Alan Stucky, System Vice Chancellor and General Counsel

¹³ Texas Ed. Code § 51.3525(d)(2).

¹⁴ Texas Ed. Code §51.3525(b)(1)(B).

¹⁵ *Rosenberger v. Rector & Visitors of the Univ. of Va.*, 515 U.S. 819, 829 (1995).

¹⁶ *Id.*