



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 2896</b>		DATE: <b>2/10/2026</b>	
COMMITTEE: <b>Higher Education and Workforce Development</b>			
<b>TESTIFYING:</b> <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
<b>WITNESS NAME</b>			
<b>BUSINESS/ORGANIZATION:</b>			
WITNESS NAME: <b>ARNIE C. A.C. "HONEST ABE" DIENOFF</b>		PHONE NUMBER: <b>314-440-9000</b>	
BUSINESS/ORGANIZATION NAME: <b>MISSOURI STATE PUBLIC ADVOCACY</b>		TITLE: <b>STATE PUBLIC ADVOCATE</b>	
ADDRESS: <b>PO BOX 1535</b>			
CITY: <b>O'FALLON</b>		STATE: <b>MO</b>	ZIP: <b>63366</b>
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>2/10/2026 12:00 AM</b>	
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>			



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<b>WITNESS NAME</b>		
<b>INDIVIDUAL:</b>		
WITNESS NAME: <b>ABIGAIL HERNDON</b>		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE:      ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>2/10/2026 6:52 PM</b>

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**Board members should local and not from outside, and this would be allow special interest groups to meddle in local affairs.**



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<b>WITNESS NAME</b>			
<b>INDIVIDUAL:</b>			
WITNESS NAME: <b>SARAH BERRY</b>		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>2/9/2026 10:49 AM</b>	

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I submit this testimony in formal opposition to House Bill 2896 on constitutional, civil-rights, and governance grounds.

While HB 2896 is framed as a technical reorganization of public university governing boards, its cumulative effect is the systematic erosion of institutional independence, academic freedom, and constitutional safeguards that protect Missouri’s public higher-education system from political capture.

Public universities are not ordinary state agencies. They occupy a unique constitutional position as forums for inquiry, expression, and intellectual freedom.

The United States Supreme Court has repeatedly recognized that academic freedom is “a special concern of the First Amendment,” deserving heightened protection against political interference.[1]

HB 2896 restructures governing boards across multiple public institutions simultaneously by consolidating appointment authority, eliminating long-standing regional representation frameworks, and substituting them with rigid political-party and residency caps unsupported by legislative findings.

This approach raises serious concerns under the First Amendment, the Equal Protection Clause of the Fourteenth Amendment, and Article I of the Missouri Constitution.

Structural manipulation of governing bodies—when it predictably enables viewpoint discrimination or chills protected expression—violates constitutional protections even absent explicit censorship.[2]

By redesigning governance in a manner that increases ideological vulnerability while reducing institutional autonomy, HB 2896 invites precisely the type of indirect suppression courts have warned against.

Additionally, the bill’s arbitrary geographic limitations and removal of established service-region representation raise equal-protection concerns by treating similarly situated citizens differently without a rational, let alone compelling, governmental justification.[3]

Finally, the bill risks violating Missouri’s constitutional separation of powers by concentrating executive appointment influence across nearly the entire public higher-education system without sufficient legislative safeguards or institutional justification.[4]

The General Assembly has both the authority and the responsibility to legislate prudently.

HB 2896 does not meet that standard. Its broad, system-wide restructuring of university governance threatens constitutional norms, weakens academic independence, and exposes the state to foreseeable litigation.

For these reasons, I respectfully urge the committee to reject House Bill 2896.

**LEGAL & CONSTITUTIONAL FOOTNOTES (AMMO)**

[1] *Keyishian v. Board of Regents*, 385 U.S. 589, 603 (1967) (“Academic freedom... is a special concern of the First Amendment.”)

[2] *Perry v. Sindermann*, 408 U.S. 593 (1972) (government may not indirectly suppress protected expression through structural or discretionary mechanisms)

[3] *Reed v. Reed*, 404 U.S. 71 (1971); Mo. Const. art. I, §2 (equal rights and opportunity)

[4] Mo. Const. art. II, §1 (distribution of powers); *State ex rel. Missouri State Bd. of Registration v. Southworth*, 704 S.W.2d 219 (Mo. banc 1986)