

Sunshine Week Calls Attention to Darkening Skies Over College Campuses

By Amy Kristin Sanders

University employees engaged in [sexual misconduct](#). Administrators misappropriating [public funds](#). Scientists paid by industry groups to obtain [desirable research outcomes](#). Wealthy donors influencing the [admissions process](#).

Open records laws have helped journalists and watchdog groups uncover these types of wrongdoing at universities around the country—but those very laws are under threat.

Already, two states—[Pennsylvania](#) and [Delaware](#)—exempt some of their state universities from complying with open records laws.

That's right. Five years after the U.S. Office for Civil Rights [found](#) that Penn State—still reeling from the Sandusky sexual misconduct scandal—failed to protect students who filed sexual harassment complaints, the university retains its “state-related” designation that allows it to skirt the state's Right to Know law.

Increasingly, lawmakers and university administrators are attempting to carve out similar exceptions to their states' open records laws or skirt the laws with creative interpretations of their provisions.

In the past year, both the University of Washington and Washington State University have conducted presidential searches in near total [secrecy](#), with the UW Board of Regents ultimately announcing on January 10 that it had selected “Candidate No. 2”—presumably Robert J. Jones, who was announced one month later—as president.

In 2023, [ProPublica](#) stumbled upon a nearly 5-decade old [exemption](#) in Virginia's public records law that allowed administrators at Christopher Newport University to deny access to former President Paul Trible's papers—even after he had left office.

[Legislation](#) in California would have exempted significant portions of state university records from the state's Public Records Act, but its sponsor decided not to advance AB 700 after significant public pushback from journalists and open government groups.

Pennsylvania's four state-related universities that are exempt from the Right to Know law receive “hundreds of millions of taxpayer dollar” each year, according to a [Spotlight PA report](#).

Nearly one-third of Americans report they have little to no trust in higher education, according to a [2024 Gallup poll](#). That's a marked increase from the 10 percent reported in 2015.

Lawmakers in some states have gotten the message. In January, the Utah legislature approved a budget that would [cut \\$60 million](#) from state universities' budgets.

Myriad states in the south, including [Texas](#), [Alabama](#) and [Florida](#), have passed laws that prohibit state universities from spending public funding on various diversity, equity and inclusion efforts after a largely Republican [outcry](#) calling the programs ‘woke.’

One way to begin to restore public trust—and to combat concerns over indoctrination and ‘woke’ curricula—is for state universities to increase transparency by subjecting themselves to scrutiny under state Sunshine Laws.

[Sunshine Week](#) serves as a stark reminder that the fight for government transparency is never over. Open and accountable governance is a core tenant of democratic society.

Whether you are the parent of a college student or just the average taxpayer, it should be your right to know how state universities are spending public funding.

It is easier than ever to [contact your lawmakers](#) and let them know that you support holding public universities accountable under your state’s Sunshine Laws.

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