

# UNIVERSITY of HOUSTON SYSTEM

## Office of Legal Affairs

### Senate Bill 18 – Tenure

#### House Committee Report Summary with Amendment

Tenure is defined as follows: “the entitlement of a faculty member to continue in the faculty member’s academic position unless dismissed for good cause in accordance with policies and procedures consistent with this legislation.”

Only the Board of Regents, on recommendation of the institution’s CEO, may grant tenure.

The granting of tenure does not create a property interest beyond the faculty member’s continuing employment, including regular annual salary and any privileges incident to status as a tenured professor.

The Board of Regents must adopt policies and procedures that:

1. Address granting of tenure
2. Allow for dismissal of a tenured faculty member, after providing due process, if the faculty member:
  - a. Exhibited professional incompetence;
  - b. Continually or repeatedly failed to perform duties or meet professional responsibilities;
  - c. Failed to successfully complete any post-tenure review program;
  - d. Engaged in conduct involving moral turpitude that adversely affects the institution or the faculty member’s performance/meeting of responsibilities/duties;
  - e. Violated laws or policies substantially related to performance of duties;
  - f. Been convicted of a crime affecting the fitness of the faculty member to perform duties/responsibilities;
  - g. Engaged in unprofessional conduct that adversely affects the institution or the faculty member’s performance of duties/responsibilities; or
  - h. For other designated good cause.
3. Allow for dismissal for actual financial exigency or phasing out of programs
4. Provide for the requirement that the Board get advice and comment from faculty on policies and procedures and give them utmost consideration
5. Provide for comprehensive performance evaluations of faculty members no more than once a year but no less than every six years (incorporating academic due process rights) and for faculty receiving an unsatisfactory rating in any areas of any evaluation conducted, the evaluation process must include a short-term development plan with performance benchmarks
6. May include summary dismissal based on a finding of serious misconduct which includes
  - a. a written notice including an explanation of the evidence supporting dismissal;
  - b. an opportunity for the faculty member to respond in a hearing with a designated administrator;
  - c. requiring the designated administrator to provide a written determination of whether the institution will proceed with summary dismissal;

- d. the designated administrator's written determination indicating whether or not a summary dismissal will occur with an effective date if applicable; and
  - e. provide for post-dismissal appeal.
- 7. Are filed with the Texas Higher Education Coordinating Board on or before September 1 of each year.

Effective date: September 1, 2023