

PROPOSED AMENDMENT

SB 202 # 23

DIGEST

Education matters. Removes certain provisions concerning the board of trustees of a state educational institution. Provides that certain committees shall make recommendations to promote recruitment and retention of minority and underrepresented students. Removes a provision concerning diversity programming. Requires each board of trustees of an institution to establish a policy for evaluating a faculty member for tenure or promotion. Specifies that the policy must require a nondeterminative consideration of and review of certain factors. Provides that an institution may, rather than shall, adopt a policy that establishes certain disciplinary actions. Removes provisions regarding: (1) complaints submitted by students or employees; (2) reports submitted by an institution to the commission for higher education; and (3) reports compiled by the commission for higher education. Removes certain chapters concerning: (1) requirements regarding students, employees, contractors, and applicants; (2) policy on neutrality; and (3) reporting requirements. Deletes provisions concerning state educational institution information reporting.

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- 1 Page 1, delete lines 1 through 15.
 - 2 Delete pages 2 through 14.
 - 3 Page 15, delete lines 1 through 8.
 - 4 Page 15, line 20, reset in roman "minority".
 - 5 Page 15, line 20, after "minority" insert "**and**".
 - 6 Page 15, line 36, reset in roman "minority".
 - 7 Page 15, line 36, after "minority" insert "**and**".
 - 8 Page 16, line 9, reset in roman "minority".
 - 9 Page 16, line 9, after "minority" insert "**and**".
 - 10 Page 16, line 24, reset in roman "minority".
 - 11 Page 16, line 24, after "minority" insert "**and**".
 - 12 Page 16, line 40, reset in roman "minority".
 - 13 Page 16, line 40, after "minority" insert "**and**".
 - 14 Page 17, line 13, reset in roman "minority".
 - 15 Page 17, line 13, after "minority" insert "**and**".
 - 16 Page 17, line 29, reset in roman "minority".
 - 17 Page 17, line 29, after "minority" insert "**and**".
 - 18 Page 17, delete lines 33 through 42.
 - 19 Delete page 18.
 - 20 Page 19, delete lines 1 through 20.

- 1 Page 19, line 28, delete "materially".
- 2 Page 19, line 29, delete "and".
- 3 Page 20, line 24, delete "on an extensive range of public policy" and
4 insert ".".
- 5 Page 20, line 25, delete "issues."
- 6 Page 20, between lines 39 and 40, begin a new paragraph and insert:
7 **"(b) Each board of trustees of an institution shall establish a**
8 **policy for evaluating a faculty member for tenure or promotion.**
9 **The policy must require a nondeterminative consideration of and**
10 **review of whether the faculty member:**
- 11 (1) is unlikely to foster a culture of free inquiry, free
12 expression, and intellectual diversity within the institution;
- 13 (2) is unlikely to expose students to scholarly works from a
14 variety of political or ideological frameworks that may exist
15 within and are applicable to the faculty member's academic
16 discipline;
- 17 (3) is likely, while performing teaching or mentoring duties
18 within the scope of the faculty member's employment, to
19 subject students to political or ideological views and opinions
20 that are unrelated to the faculty member's academic
21 discipline or assigned course of instruction;
- 22 (4) helped the institution foster a culture of free inquiry, free
23 expression, and intellectual diversity within the institution;
- 24 (5) introduced students to scholarly works from a variety of
25 political or ideological frameworks that may exist within the
26 faculty member's academic discipline or within courses the
27 faculty member has taught;
- 28 (6) while performing teaching or mentoring duties within the
29 scope of the faculty member's employment, refrained from
30 subjecting students to views and opinions concerning matters
31 not related to the faculty member's academic discipline or
32 assigned course of instruction;
- 33 (7) adequately performed academic duties and obligations;
34 and
- 35 (8) met any other criteria established by the board of
36 trustees."
- 37 Page 20, delete lines 40 through 42.
- 38 Page 21, delete lines 1 through 13.
- 39 Page 22, line 6, delete "shall" and insert "**may**".
- 40 Page 23, delete lines 4 through 7.

- 1 Page 23, line 8, delete "(4)" and insert "(3)".
- 2 Page 23, delete lines 11 through 36.
- 3 Page 23, line 37, delete "(c)" and insert "(b)".
- 4 Page 24, delete lines 11 through 42.
- 5 Delete page 25.
- 6 Page 26, delete lines 1 through 23.
- 7 Page 26, line 24, delete "6" and insert "3".
- 8 Page 27, delete lines 26 through 42.
- 9 Delete pages 28 and 29.
- 10 Renumber all SECTIONS consecutively.
(Reference is to SB 202 as reprinted February 6, 2024.)