

PROPOSED AMENDMENT

SB 202 # 25

DIGEST

Education matters. 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.

-
- 1 Page 19, delete lines 10 through 20.
2 Page 19, line 28, delete "materially".
3 Page 19, line 29, delete "and".
4 Page 20, line 24, delete "on an extensive range of public policy" and
5 insert ".".
6 Page 20, line 25, delete "issues".
7 Page 20, between lines 39 and 40, begin a new paragraph and insert:
8 **"(b) Each board of trustees of an institution shall establish a**
9 **policy for evaluating a faculty member for tenure or promotion.**
10 **The policy must require a nondeterminative consideration of and**
11 **review of whether the faculty member:**
12 **(1) is unlikely to foster a culture of free inquiry, free**
13 **expression, and intellectual diversity within the institution;**
14 **(2) is unlikely to expose students to scholarly works from a**
15 **variety of political or ideological frameworks that may exist**
16 **within and are applicable to the faculty member's academic**
17 **discipline;**
18 **(3) is likely, while performing teaching or mentoring duties**
19 **within the scope of the faculty member's employment, to**
20 **subject students to political or ideological views and opinions**
21 **that are unrelated to the faculty member's academic**
22 **discipline or assigned course of instruction;**

- 1 **(4) helped the institution foster a culture of free inquiry, free**
 2 **expression, and intellectual diversity within the institution;**
 3 **(5) introduced students to scholarly works from a variety of**
 4 **political or ideological frameworks that may exist within the**
 5 **faculty member's academic discipline or within courses the**
 6 **faculty member has taught;**
 7 **(6) while performing teaching or mentoring duties within the**
 8 **scope of the faculty member's employment, refrained from**
 9 **subjecting students to views and opinions concerning matters**
 10 **not related to the faculty member's academic discipline or**
 11 **assigned course of instruction;**
 12 **(7) adequately performed academic duties and obligations;**
 13 **and**
 14 **(8) met any other criteria established by the board of**
 15 **trustees."**

- 16 Page 20, delete lines 40 through 42.
 17 Page 21, delete lines 1 through 13.
 18 Page 22, line 6, delete "shall" and insert "**may**".
 19 Page 23, delete lines 4 through 7.
 20 Page 23, line 8, delete "(4)" and insert "**(3)**".
 21 Page 23, delete lines 11 through 36.
 22 Page 23, line 37, delete "(c)" and insert "**(b)**".
 23 Page 24, delete lines 11 through 42.
 24 Delete page 25.
 25 Page 26, delete lines 1 through 23.
 26 Page 26, line 24, delete "6" and insert "**3**".
 27 Page 27, delete lines 26 through 42.
 28 Delete pages 28 and 29.
 29 ReNUMBER all SECTIONS consecutively.
 (Reference is to SB 202 as reprinted February 6, 2024.)