

BILL ANALYSIS

Senate Research Center
87R12068 KEL-D

S.B. 1623
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Higher Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Tenure grants a professor permanent employment at their university and protects them from being fired. A tenured professor has a degree of lifetime job security not offered in other professions.

Tenure is closely tied with academic freedom with its original purpose of enabling scholars to pursue lines of research that might not have an immediate payoff, and to let them write or say controversial things without worrying that doing so might cost them their jobs.

Colleges and universities are burdened with unproductive and problematic professors because they are tenured. Having no recourse to terminate these individuals, the institutions are obligated to continue to pay millions in salaries that could go towards hiring more capable and useful educators.

S.B. 1623 specifically puts into statute that good cause for revoking the tenure of a faculty member is by their initiation of a civil suit against a student enrolled at the institution.

As proposed, S.B. 1623 amends current law relating to good cause for revoking the tenure of or otherwise disciplining a faculty member of a public institution of higher education in this state.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 51.942, Education Code, by adding Subsection (c-1), as follows:

(c-1) Provides that good cause for revoking tenure of a faculty member, for the purposes of Subsection (c)(5) (relating to a faculty member being subject to revocation of tenure or other appropriate disciplinary action if incompetency, neglect of duty, or other good cause is determined to be present), includes a faculty member's initiation of a civil suit against a student enrolled at the institution, regardless of whether the claim is subsequently litigated or dismissed.

SECTION 2. Effective date: upon passage or September 1, 2021.