A BILL TO BE ENTITLED
AN ACT
relating to performance evaluations of tenured faculty at public institutions of higher education.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 51.942(c), Education Code, is amended to read as follows:

   (c) In addition to any other provisions adopted by the governing board, the rules shall include provisions providing that:

   (1) each faculty member tenured at the institution be subject to a comprehensive performance evaluation process conducted no more often than once every year, but no less often than once every four [six] years, after the date the faculty member was granted tenure or received an academic promotion at the institution;

   (2) the evaluation be based on the professional responsibilities of the faculty member, in teaching, research, service, patient care, and administration, and include peer review of the faculty member;

   (3) the process be directed toward the professional development of the faculty member;

   (4) the process incorporate commonly recognized academic due process rights, including notice of the manner and scope of the evaluation, the opportunity to provide documentation during the evaluation process, and, before a faculty member may be
subject to disciplinary action on the basis of an evaluation conducted pursuant to this section, notice of specific charges and an opportunity for hearing on those charges; and

(5) a faculty member be subject to revocation of tenure or other appropriate disciplinary action if the governing board determines that:

(A) the faculty member is incompetent or has engaged in [incompetency,] neglect of duty, sexual harassment, fiscal malfeasance, plagiarism, or conduct involving moral turpitude; or

(B) [or] other good cause exists for the revocation or disciplinary action [is determined to be present].

SECTION 2. This Act takes effect September 1, 2021.