

Amend CSSB 18 (house committee report) as follows:

(1) On page 1, lines 16 and 17, strike "for good cause".

(2) Strike page 2, line 9, through page 3, line 10, and substitute the following:

(2) allow for the dismissal of a tenured faculty member only for:

(A) good cause, as determined on a case-by-case basis in accordance with Subsection (c-4); or

(B) actual financial exigency or the phasing out of the institution's programs requiring elimination of the faculty member's position; and

(3) Strike page 5, line 7, through page 6, line 17, and substitute the following:

(c-4) The policies and procedures adopted by the governing board regarding good cause for dismissal of a tenured faculty member under Subsection (c-1)(2)(A) must require the institution to provide the faculty member with:

(1) written notice of the allegations against the faculty member;

(2) an opportunity to respond to the allegations in a hearing before the faculty member is dismissed;

(3) appropriate due process during the hearing under Subdivision (2), including at a minimum:

(A) if the faculty member is suspended pending completion of the hearing, the faculty member is suspended with pay;

(B) the right for the faculty member to:

(i) appear at the hearing in person with counsel of the faculty member's choice;

(ii) confront and cross-examine any witnesses who appear at the hearing;

(iii) testify at the hearing, at the faculty member's choice; and

(iv) introduce relevant and material evidence in the faculty member's defense;

(C) requiring the institution to make a stenographic or electronic record of the hearing and make the

record available to the faculty member; and

(D) requiring the institution to prove good cause for dismissal by a preponderance of the evidence; and

(4) an appeal of a finding by the institution that good cause exists for the dismissal before the faculty member may be dismissed.