

Representative Christopher N. Herrod proposes the following substitute bill:

HIGHER EDUCATION TENURE

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Christopher N. Herrod

Senate Sponsor: _____

LONG TITLE

General Description:

This bill prohibits state institutions of higher education from granting academic tenure.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ prohibits state institutions of higher education from offering an individual a tenure-track position on or after July 1, 2012;
- ▶ prohibits certain state institutions of higher education from offering academic tenure to an individual who is not already in a tenure-track position on July 1, 2012; and
- ▶ allows certain research institutions to offer certain contracts.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill takes effect on July 1, 2012.

Utah Code Sections Affected:

ENACTS:

53B-2-106.5, Utah Code Annotated 1953



26 *Be it enacted by the Legislature of the state of Utah:*

27 Section 1. Section **53B-2-106.5** is enacted to read:

28 **53B-2-106.5. Prohibition of academic tenure in higher education.**

29 (1) As used in this section:

30 (a) "Academic tenure" means an expectation of continued employment for an indefinite
31 period of time.

32 (b) "Institution of higher education" means an institution listed in Section 53B-2-101.

33 (c) "Research institution" means:

34 (i) the University of Utah; or

35 (ii) Utah State University.

36 (d) "Tenure-track position" means an appointment at an institution of higher education
37 that is intended to lead to academic tenure.

38 (2) (a) Except as provided in Subsection (2)(b), an institution of higher education may
39 not offer an individual academic tenure.

40 (b) An institution of higher education may offer an individual academic tenure if the
41 individual began employment in a tenure-track position at the institution before July 1, 2012.

42 (3) The provisions of this section do not affect an individual who had academic tenure
43 before July 1, 2012.

44 (4) This section does not prohibit a research institution from:

45 (a) offering a teaching or research contract to an individual if the contract term does not
46 exceed ten years; or

47 (b) renewing a teaching or research contract, if the contract renewal term does not
48 exceed ten years.

49 Section 2. **Effective date.**

50 This bill takes effect on July 1, 2012.