

119 (3) Beginning July 1, 2024, a tenured faculty member may be dismissed from
 120 employment at a degree-granting institution:

121 (a) for cause, including:

122 (i) professional incompetence;

123 (ii) serious misconduct or unethical behavior;

124 (iii) legal misconduct substantially related to the performance of duties;

125 (iv) serious violations of board or institution rules;

126 (v) the conviction of a crime affecting the fitness of the tenured faculty member to

127 engage in teaching, research, service, outreach, administration, or other assigned duties;

128 (vi) falsified credentials or plagiarism; or

129 (vii) inability or unwillingness to meet institutional expectations, including failure to
 130 address deficiencies outlined in a remediation plan following post-tenure review;

131 (b) if the program in which the tenured faculty member works is discontinued by the
 132 degree-granting institution or modified to such a degree that the tenured faculty member's
 133 position is no longer needed; and

134 (c) in the event of financial exigency of the degree-granting institution.

135 (4) Policies governing dismissal of a tenured faculty member for cause shall include, at
 136 a minimum:

137 (a) notice to the tenured faculty member of the alleged cause, including any evidence
 138 supporting the allegation;

139 (b) providing reasonable time and opportunity for the tenured faculty member to
 140 respond;

141 (c) a hearing before an independent board of tenured faculty peers;

142 (d) a written determination on the issue, including a determination of termination or
 143 continued employment; and

144 (e) an appeals process ending with the final decision of the president of the
 145 degree-granting institution.

146 (5) A tenured faculty member who is being dismissed because the program in which
 147 the tenured faculty member works is discontinued or modified, as described in Subsection
 148 (3)(b), or in the event of financial exigency of the degree-granting institution, as described in
 149 Subsection (3)(c), shall receive ~~H~~→ [:] severance in accordance with the terms of the tenured
 149a faculty member's employment contract. ←~~H~~

150 ~~H→ [(a) a minimum of six months notice before the termination; or~~
151 ~~———— (b) six months of salary and benefits in lieu of six months notice.] ←H~~

152 (6) Nothing in this section prohibits a president of a degree granting institution from
153 creating additional policies and processes regarding discipline of a tenured faculty member.

154 (7) Beginning July 1, 2024, a degree-granting institution shall conduct, and a tenured
155 faculty member shall receive:

156 (a) an annual performance review of the tenured faculty member's performance; and
157 (b) a post-tenure review, as described in Subsection (9).

158 (8) A president of a degree-granting institution shall ensure that each program or
159 department at the degree-granting institution has policies describing the minimum performance
160 of a tenured faculty member for use in a post-tenure review.

161 (9) A post-tenure review shall:

162 (a) be conducted by a committee of:

163 (i) tenured faculty member peers, appointed by the appropriate vice president at the
164 degree-granting institution, including at least two individuals appointed from either a different
165 department than the tenured faculty member going through post-tenure review, a different
166 degree-granting institution than the tenured faculty member going through post-tenure review,
167 or both; and

168 (ii) the provost or the provost's designee; and

169 (b) consist of a comprehensive review of the tenured faculty member's performance
170 over the previous five years, including:

171 (i) teaching assessment, including student evaluations, for all courses taught;
172 (ii) the quality of the tenured faculty member's scholarly research;
173 (iii) service to the profession, school, or community;
174 (iv) annual performance reviews;
175 (v) intellectual property owned wholly or partly by, or commercialization efforts
176 attributed to, the tenured faculty member;

177 (vi) the tenured faculty member's compliance with the degree granting institution's
178 policies regarding the responsibilities and ethical obligations of faculty members; and
179 (vii) any improvement plans for underperformance.

180 (10) (a) If, following a post-tenure review, a tenured faculty member is found to not