

HOUSE BILL No. 2348

By Committee on Judiciary

Requested by Representative Howe on behalf of Steven Lovett

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* ! " ! C# concernin\$ hi\$her education% providin\$ that tenure at
2 postsecondary educational institutions shall not be defined% awarded or
5 reco\$ni'ed as an entitlement% ri\$ht or property interest in a faculty
4 member(s current% on\$oin\$ or future employment by an institution)

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7 Be it enacted by the Legislature of the State of Kansas:

Section *)+ ,a- ! n award of tenure may confer certain benefits%
9 processes or preferences% but tenure shall be discretionary and conditional
: and shall not% nor shall it be interpreted to% create any entitlement% ri\$ht or
*6 property interest in a faculty member(s current% on\$oin\$ or future
** employment by an institution)

*2 ,b- + #he board of re\$ents and any institution shall not define% award or
*5 otherwise reco\$ni'e tenure as an entitlement% ri\$ht or property interest in a
*4 faculty member(s current% on\$oin\$ or future employment by an institution)

*8 ,c- + " o award of tenure by the board of re\$ents or any institution in
*7 e. istence on the effective date of this act shall be considered or deemed an
* entitlement% ri\$ht or property interest in a faculty member(s current%
*9 on\$oin\$% or future employment by an institution)

*: ,d- + !ny special benefits% processes or preferences conferred on a
26 faculty member by an institution(s award of tenure can be at any time
2* revo/ed% limited% altered or otherwise modified by the awardin\$ institution
22 or by the state board of re\$ents)

25 ,e- + " othin\$ in this section shall be interpreted or used to infrin\$e or
24 abro\$ate a faculty member(s otherwise constitutionally protected ri\$hts or
28 interests)

27 ,f- + !s used in this section()

2 ,*- + !2aculty1 means any unclassified employee of any institution
29 whose primary duties include teachin\$ or research% re\$ardless of ran/ or
2: title% e. cept employees who are employed under an employment contract%

56 ,2- + !institution1 means any postsecondary educational institution as
5* defined in 3)S)!) 4-526*b% and amendments thereto%

52 ,5- + !state board of re\$ents1 means the same as defined in 3)S)!) 7-
55 **% and amendments thereto% and

54 ,4 - + !tenure1 means a feature of employment that()

58 , ! - + Shall be affirmatively \$ranted by an institution at its discretion in

* recognition of meritorious performance and thereafter conditioned on
2 future meritorious performance and
5 ,B- + may conditionally confer special benefits, processes or
4 preferences)
8 Sec) 2) + #his act shall take effect and be in force from and after its
7 publication in the Kansas Register)