

SB 18 Testimony

House higher Education Committee

May 8, 2023

Thank you, Mr. Chairman and members of the committee. My name is Pat Heintzeman. I am a professor at a regional university in Texas, and I am appearing not on behalf of my institution, but on behalf of myself and as president of the Texas Faculty Association. TFA opposes Senate Bill 18.

We have recently reviewed the committee substitute, and view it as a very substantial improvement, particularly, of course, in its preservation of tenure not only in name, but in the spirit of the concept. That being said, we need to more thoroughly review the statutory language with our broader membership. We look forward to working with the chairman and the committee to thoroughly review the language and intent of CSSB 18.

As you move forward in the process with this bill, we think it critical to remind the committee and your House colleagues of the vital importance of Tenure in higher education:

Tenure includes fundamental building blocks of rigor; quality teaching, research, and service; the ability to speak truth without intimidation, and free inquiry in higher education:

- The effort to achieve tenure demands long-term excellence from aspiring academics from the very start of their careers.
- Tenure not only allows but requires academics to speak up when they see injustices at their universities, even in their administrations. It is, thus, fundamental to the integrity of our institutions. Universities are complex institutions, dealing with a wide range of issues, comprised of real people who work on various levels, but who work together to provide a positive and rewarding experience for students.

- The discipline of peer review at the heart of tenure ensures the quality of academic research and expands the knowledge and competence of both the scholar seeking tenure and those scholars on tenure review committees.
- Tenure allows academics to pursue long-arc research that is not possible in other professional settings, particularly the private sector. All of society, including the private sector, has benefitted dramatically from research conducted by all academic disciplines.
- Tenure is not political; in fact, its whole purpose is to protect free inquiry and expression of all academics, *regardless of politics*.

Forbidding tenure would be a competitive catastrophe for Texas. The investment you are making in higher education excellence in a variety of other bills would be directly undercut by this bill. In fact, we are already suffering competitive disadvantage from publicity and consideration of SB 18. Our colleagues are reporting loss of outstanding scholars and trouble recruiting both professors and graduate students since the assault on tenure in Texas began.

TFA strongly supports faculty participation in shared governance. We are concerned that the newly written language for this bill suggests that only the governing board shall grant tenure. Long established national standards of higher education call for faculty involvement in the decision to grant an individual tenure as the faculty's judgment is central to educational policy, and faculty in a particular subject area possess the chief competence for judging the work of their colleagues. In addition, the bill's detailed language makes no mention of faculty involvement in the dismissal hearing of a faculty member. National standards jointly crafted by professional organizations representing college and university administrators, governing boards, and faculty clearly state that faculty should be involved as their judgment is central to educational policy, and faculty possess subject-specific expertise necessary to adequately evaluate the work of their colleagues. Please reconsider this section of the rewritten bill and support the long tradition of shared governance.

We urge the committee to continue the process you have begun with the committee substitute to preserve tenure in letter and spirit, and thereby higher education competitiveness and excellence in Texas.