

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: CS/HB 23

51st Legislature, 1st Session, 2013

Tracking Number: .192655.2

Short Title: Higher Ed Faculty Tenure Conditions

Sponsor(s): Representative James E. Smith and Senator Timothy M. Keller

Analyst: Travis Dulany

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HOUSE EDUCATION COMMITTEE SUBSTITUTE FOR HOUSE BILL 23

Bill Summary:

CS/HB 23 amends current law to identify additional criteria that may be considered by boards of regents of all New Mexico baccalaureate degree-granting institutions when studying the “options, advantages, and disadvantages” of developing procedures for granting faculty tenure and promotion.

More specifically, the criteria outlined in the bill, in addition to “teaching ability,” include:

- scholarship;
- community-engaged service, research, and teaching; or
- entrepreneurial activity and commercialization activities.

Fiscal Impact:

CS/HB 23 does not contain an appropriation.

Substantive Issues:

According to the Western New Mexico University (WNMU) bill analysis, institutions may need to amend tenure policies if CS/HB 23 is enacted. WNMU also notes, however, that current best practice guidance in higher education already includes the additional criteria outlined in CS/HB 23 in determining faculty members’ performance.

Furthermore, New Mexico State University (NMSU) indicates that the bill’s expanded areas of evaluation for tenure closely resemble the university’s current practice.

With the possible exception of entrepreneurial or commercialization activities, a review of policies and procedures from various baccalaureate degree-granting institutions in New Mexico affirms these assertions:

- *New Mexico Institute of Mining and Technology (NMIMT)*
 - According to NMIMT’s *Policy for Appointment, Promotion, and Tenure*, a candidate for tenure will be “evaluated with respect to the proposed rank and duties, considering the record of the candidate’s performance in:

- teaching;
 - research and other creative work;
 - professional reputation; and
 - institute and public service.”
- ***University of New Mexico (UNM)***
 - According to the *UNM Faculty Handbook*, tenure review consists of evaluation of a faculty member’s:
 - teaching;
 - scholarly work;
 - service; and
 - personal characteristics.
- ***NMSU***
 - According to the *NMSU Policy Manual*, “The quality of faculty accomplishments in **teaching and advising (or its equivalent), scholarship and creative activity, extension, outreach and service** largely determines the quality of the university as a whole. The granting of tenure or promotion to associate or full professor represents a prediction by the university that the individual concerned will continue to make substantial contributions to the profession and the university.” (emphasis added).
- ***WNMU***
 - According to the *WNMU Faculty Handbook*, evaluation criteria for tenure, promotion, and post-tenure review are based on the goals of:
 - teaching effectiveness;
 - student advisement process;
 - scholarship, research, or other creative activity;
 - professional contribution; and
 - personal relationship.
- ***New Mexico Highlands University (NMHU)***
 - The *NMHU Collective Bargaining Agreement* outlines a dossier process for those being considered for tenure, which requires narratives and additional documentation regarding:
 - teaching and advisement;
 - scholarship;
 - research and creative activities; and
 - service.
- ***Eastern New Mexico University (ENMU)***
 - As noted in the *ENMU Faculty Handbook*, “Evaluation encompasses not only **teaching and related functions such as advising and service on school/department,**

college and university committees, but also scholarly and professional activities and academic preparation. Recommendations for appointment, retention, promotion, leaves, and tenure originate with the faculty and will be based on these evaluations.” (emphasis added).

Committee Referrals:

HEC/HAFC

Related Bills:

HB 129 *Northern NM School Faculty Salaries* (Identical to SB 34)

SB 34 *Northern NM State School Faculty Salaries* (Identical to HB 129)

SB 53 *Retain UNM Medical School Faculty*