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MEMORANDUM

To: House Committee on Judiciary
From: Office of Revisor of Statutes
Date: February 11, 2025
Subject: Bill Brief for HB 2348 (As Introduced)

House Bill 2348 provides that tenure at postsecondary educational institutions shall not be defined, awarded or recognized as an entitlement, right or property interest in a faculty member's current, ongoing or future employment by an institution.

The bill creates a new section of law. Subsection (a) provides that an award of tenure may confer certain benefits, processes or preferences, but tenure shall be discretionary and conditional and shall not, nor shall it be interpreted to, create any entitlement, right or property interest in a faculty member's current, ongoing or future employment by an institution.

Subsection (b) provides that the board of regents and any institution shall not define, award or otherwise recognize tenure as an entitlement, right or property interest in a faculty member's current, ongoing or future employment by an institution.

Subsection (c) provides that no award of tenure by the board of regents or any institution in existence on the effective date of this act shall be considered or deemed an entitlement, right or property interest in a faculty member's current, ongoing, or future employment by an institution.

Subsection (d) provides that any special benefits, processes or preferences conferred on a faculty member by an institution's award of tenure can be at any time revoked, limited, altered or otherwise modified by the awarding institution or by the state board of regents.

Subsection (e) provides that nothing in this section shall be interpreted or used to infringe or abrogate a faculty member's otherwise constitutionally protected rights or interests.

Subsection (f) provides definitions for the section. "Faculty" means any unclassified employee of any institution whose primary duties include teaching or research, regardless of rank or title, except employees who are employed under an employment contract. "Institution" means any postsecondary educational institution as defined in K.S.A. 74-3201b ("any public university, municipal university, community college, technical college and institute of technology"). "State board of regents" means the same as defined in K.S.A. 76-711 ("the state board of regents provided for in the constitution of this state and described in article 32 of chapter 74 of Kansas Statutes Annotated"). "Tenure" means a feature of employment that: shall be affirmatively granted by an institution at its discretion in recognition of meritorious performance and thereafter conditioned on future meritorious performance; and may conditionally confer special benefits, processes or preferences.

The bill would take effect from and after publication in the Kansas register.