

HB 329

Dear Colleagues,

Many of you may already have seen HB 329. It is only two short paragraphs and a few sentences long. However, it has the potential to deprive us of our property interest in tenure – commencing July 1, 2010. The specific language of the Bill reads:

House Bill 329

AN ACT TO PROHIBIT PUBLIC UNIVERSITIES AND COLLEGES FROM GRANTING TENURE TO TEACHING PERSONNEL; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. The Board of Trustees of State Institutions of Higher Learning, the State Board for Community and Junior Colleges, a state institution of higher learning and the board of trustees of a community and junior college may not grant tenure to professors, instructors or other teaching personnel. Tenure granted before July 1, 2010, is abolished on July 1, 2010. For purposes of this section, "tenure" means the right of professors, instructors or other teaching personnel to hold their position and not to be removed from that position except for just cause.

SECTION 2. This act shall take effect and be in force from and after July 1, 2010.

If this bill passes and is signed into law, what will happen to academic freedom? The answer is simple – it will no longer exist. We can be fired for a good reason, a bad reason or no reason at all.

If this bill passes, what will happen to colleges and universities in this state? The answer to that question is simple, too. Our colleges and universities will suffer as the best and brightest leave or decline the “honor” of teaching in this state.

Equally troubling is the fact that this proposed bill follows closely on the heels of the IHL’s Proposed Policy on Termination of Faculty and Staff. As a colleague cogently explained:

It's hard to believe that the people who wrote this have much knowledge and experience with the structure and history of higher education in America. The document appears to make no distinction between staff, non tenure track faculty, tenure track faculty, and tenured faculty. Reducing every one to an at will employee takes one back to the Bilbo days, a fate the IHL was designed to preclude. Recruiting to Mississippi has always been a challenge. This won't help. That is why the Ole Miss chancellor immediately reacted with a question about the right of individual universities to have a higher standard. I've not seen a reaction by the USM president.

<http://www.activeboard.com/forum.spark?aBID=24082&p=3&topicID=32911534>

The prospect of academic freedom in Mississippi is that if professors choose not to protect it, they will lose it. And, if past behavior is any indication of what to expect in the future, academic freedom in Mississippi is as good as gone.

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