

Make Tenure a Privilege, Not a Property Right in Kansas

The self-serving reaction to HB2348 is a prime example of why Kansas needs to change its approach to tenure. Opponents were primarily concerned with preserving the job security of tenured faculty, and without data or proof, relied on scare tactics—faculty will leave Kansas—to oppose a bill that seeks to preserve tenure but to preserve it as a privilege based on continued meritorious performance.

The state created the COGE (Council of Government Education) to find efficiencies and reduce wasteful spending of taxpayer money. Higher education institutions should be held accountable to the same standards as other sectors. If faculty are not fulfilling their responsibilities, they should not be protected simply because of tenure.

Having spent five years in higher education, earned two bachelor's degrees and a master's, and with a daughter currently at ESU, I feel compelled to address an issue that deeply concerns me. Yesterday at 3:30 PM, the House Judiciary Committee began reviewing bill HB2348, a proposal that seeks to redefine tenure as a privilege, not a property right, something that is continuously earned. I strongly urge the passage of this bill.

Working alongside tenured faculty has shown me that tenure often fosters complacency. There are exceptions, of course—dedicated faculty who truly care about their students and work tirelessly to ensure their success. However, the unfortunate reality is that many tenured professors choose to do the bare minimum, working only 20 hours a week and neglecting their students and the need for continuous growth and relevance. I experienced this first-hand as a student and so has my daughter. Tenure should not result in guaranteed employment, but rather something that is earned through hard work and performance.

Many of the most dedicated faculty members do not rely on tenure as a measure of their worth, focusing instead on providing exceptional education. Those hard-working faculty focus on providing exceptional education and maintaining high standards, not on preserving their job security regardless of their performance. Just as in any other field, including other state employee positions, jobs should be earned, and no one should be entitled to their position indefinitely without continued contributions.

Higher education as we know it is not evolving, and in many cases, struggling. Online learning platforms like Udemy and LinkedIn Learning have proven that quality education can thrive outside traditional classrooms. I have gained more practical knowledge through these resources than my experience in higher education. The passage of HB2348 could provide the necessary shift in higher education to ensure it adapts to modern times, keeping faculty accountable and fostering a culture of continuous improvement.

During the recent HB2348 hearing, the opposition's primary concern was the potential loss of faculty if tenure was redefined, rather than addressing faculty performance. The opposition failed to provide any compelling evidence that the faculty in question were meeting expectations or excelling in their roles. Instead, the conversation centered around

maintaining tenure for its own sake, regardless of performance. This alone should raise questions about the current system's validity.

Another point made by opponents of the bill was that tenure is difficult to attain, but that claim is simply not true. What was never addressed during the hearing is the fact that the percentage of faculty members who do not receive tenure is incredibly small—less than 1%, as in 5 years. I only knew one out of all the faculty receiving tenure who did not receive it. This alone demonstrates that obtaining tenure is not as difficult as it is made out to be. The requirements are not nearly as challenging as opponents claim, and in many cases, this narrative is simply a way for tenured faculty to feed their egos. The truth is, this bill does not seek to eliminate tenure, but rather to ensure that those who are granted tenure continue to meet performance standards. If they fail to do so, they should face the consequences—just as in any other profession.

This issue is further complicated by the fact that Kansas law currently makes it nearly impossible to remove the underperforming tenured faculty. For instance, Emporia State University (ESU) recently let go of 33 faculty members whose programs had only one or two students or, in some cases, none at all. Yet, because of the current legal framework, ESU is now facing a lawsuit over the firing of tenured faculty, which is seen as a property right. This is precisely why this bill is so critical—it would allow universities to make necessary staffing changes to ensure the continued success of their institutions.

Currently, many tenured faculty members refuse to participate in new initiatives—such as teaching online or engaging in student retention efforts—because they believe their tenure protects them from these responsibilities. As a result, faculty with a sense of entitlement often exhibit attitudes of superiority, dismissing others as less qualified simply because they lack tenure. I have personally experienced this firsthand as an Instructional Designer, where I have been told, “Once I get tenure, I don’t have to work as hard and I can do whatever I want, because I cannot get fired” or “I don’t have to listen to you—I have tenure.” This kind of mentality is not only unprofessional, but it undermines the very mission of education.

It is crucial to clarify that this bill is not targeting those faculty members who are genuinely dedicated to their work. Instead, it aims to address the issue of complacency, ensuring that all faculty members are held to the same standard of accountability. Why should some professors work tirelessly while others take advantage of a system designed to protect them, regardless of their effort or contributions?

In my current position in the private sector, I frequently go above and beyond my job description to contribute to the success of my company. Why should faculty members not be held to the same standards of dedication and accountability?

I was appalled when Ron Gonzales testified, making the claim that 100% of his faculty are workaholics and that all contribute equally to their university. This statement is simply not credible. No industry tolerates widespread complacency, and as someone who has worked in higher education, striving to motivate faculty to engage meaningfully with their

teaching, I can confidently say this is untrue. Based on my experience, I would estimate that around 30% of faculty fail to contribute at a meaningful level, relying on their tenure as a shield from accountability.

Kansas taxpayers deserve better. This bill is a crucial step towards holding our institutions accountable and ensuring continuous improvement in higher education. If you believe in fairness, equality, and the importance of ensuring that faculty continue to earn their positions through dedication and performance, I urge you to support HB2348. Tenure should be a privilege earned and maintained through consistent contributions, not a guaranteed property right.

Thank you for listening and thank you for your support,
Selayoa Lovett, Tax Payer