



STATE SENATOR
SPENCER DEERY
DISTRICT 23

Media Contact: Lance Gideon, Press Secretary

Lance.Gideon@iga.in.gov

317-234-9221

6 important facts about SB 202

University trustees in Indiana already approve or reject tenure decisions. Promotions to tenure work their way through faculty committees and are reviewed by the provost who makes a recommendation to the trustees who then vote on the recommendation. For example, see page 3 of the April 2023 [minutes](#) of the Indiana University Board of Trustees or item VII in the [minutes](#) of the April 2023 Purdue University meeting. If SB 202 becomes law, boards of trustees would likely design the policy they are mandated to create in a similar fashion and in a way that is very familiar to faculty.

As trustees make Tenure decisions, faculty in Indiana lack protections in state law against being fired or denied tenure for the content of their research, for criticizing administrators, or for their outside political activities. SB 202 would fix this by protecting tenured faculty in the ways the practice was originally intended. On pages 21 and 22 of [SB 202](#), Indiana would give tenured faculty such protections for the first time. No other state that has reformed or attempted to reform tenure in recent years has included this right.

Post-tenure reviews are already common in higher education. According to the [AAUP](#) (which opposes meaningful post-tenure reviews), 67% of public institutions already require post-tenure reviews and 27% of four-year schools conduct post-tenure reviews that can lead to termination. According to [ACTA](#), as early as 2002, 37 states required post tenure reviews, but there is nothing in current Indiana law that requires them. Some state institutions require them as a matter of policy such as Indiana State University where tenured faculty receive a post-tenure review every [3 years](#).

Tenure policies typically already expect faculty to avoid introducing irrelevant political content into the classroom and to meet "adequate" performance levels. Purdue's tenure [policy](#) speaks of the need for faculty to avoid "introducing irrelevant subject matter" and the [AAUP's 1940 Statement of Principles on Academic Freedom and Tenure](#) states that faculty should not "introduce into their teaching controversial matter which has no relation to their subject."

Conservative students have a different experience at Indiana state universities than liberal students. A 2022 Gallup survey commissioned by the [state](#) found that only 43% of politically conservative students in

Indiana believe they can openly express their opinions compared to 74% of politically liberal students. The survey also found that conservative students were more than three times as likely as liberal students to believe that their professors discourage them from sharing their political or social views in classes related to political, historical or cultural topics.

SB 202 does not mandate the teaching of any particular content, nor does it prohibit any content. The bill simply says candidates for tenure and tenured faculty undergoing a post-tenure review should be able to demonstrate that they "introduced students to scholarly works from a variety of political or ideological frameworks that may exist within the faculty member's academic discipline or within courses the faculty member has taught" (page 21 of the bill). That does not mean faculty must expose students to every thought or idea, and that's especially true because the bill's definition of ideological diversity limits content to "scholarly perspectives."