**South Carolina General Assembly**

124th Session, 2021-2022

**H. 4522**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Taylor, G.M. Smith, Fry, Erickson, Huggins, Bradley, Trantham, Kimmons, Thayer, Haddon, Hixon, Forrest, B. Cox, McCabe, Dabney, Morgan, May, Bailey, Long, West, McCravy, Oremus, Wooten, Bustos, Bennett and M.M. Smith

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Introduced in the House on January 11, 2022

Currently residing in the House Committee on **Education and Public Works**

Summary: Cancelling Professor Tenure Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

11/10/2021 House Prefiled

11/10/2021 House Referred to Committee on **Education and Public Works**

1/11/2022 House Introduced and read first time ([House Journal‑page 43](file:///h:\hj\20220111.docx))

1/11/2022 House Referred to Committee on **Education and Public Works** ([House Journal‑page 43](file:///h:\hj\20220111.docx))

2/9/2022 House Member(s) request name added as sponsor: M.M.Smith

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**VERSIONS OF THIS BILL**

[11/10/2021](file:///p:\pprever\2021-22\4522_20211110.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑101‑15 SO AS TO PROHIBIT PUBLIC INSTITUTIONS OF HIGHER LEARNING FROM AWARDING TENURE OR ENTERING EMPLOYMENT CONTRACTS OF MORE THAN FIVE YEARS DURATION WITH EMPLOYEES HIRED AFTER DECEMBER 31, 2022; TO TERMINATE EXISTING TENURE PROGRAMS WHEN NO COVERED EMPLOYEES REMAIN EMPLOYED BY THE INSTITUTION; TO PROVIDE BEGINNING WITH THE 2024‑2025 SCHOOL YEAR ALL FULL‑TIME FACULTY AND TENURED FACULTY AT PUBLIC INSTITUTIONS OF HIGHER LEARNING SHALL TEACH AT LEAST TWO UNDERGRADUATE CLASSES IN THE FALL AND SPRING SEMESTERS EACH YEAR, AND TO PROVIDE AN EXCEPTION FOR FACULTY EMPLOYED IN DEPARTMENTS OR SCHOOLS ONLY OFFERING GRADUATE DEGREES; AND TO PROVIDE CERTAIN RELATED REPORTING REQUIREMENTS FOR PUBLIC INSTITUTIONS OF HIGHER LEARNING AND THE COMMISSION ON HIGHER EDUCATION.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 1, Chapter 101, Title 59 of the 1976 Code is amended by adding:

“Section 59‑101‑15. (A) A public institution of higher learning in this State may not award tenure to, or enter into an employment contract for a period longer than five years with, a person hired by the institution after December 31, 2022. A tenure system in effect at a public institution of higher learning on December 1, 2022, shall terminate when there are no faculty members covered by the system who remain employed by the institution. An employment contract shall include a provision allowing the institution to dismiss the employee prior to the expiration date of the contract if the institution determines that the employee has violated policies specifically listed as reasons for termination.

(B)(1) Beginning with the 2024‑2025 School Year, all full‑time or tenured college faculty employed at a public institution of higher learning shall teach at least two undergraduate or graduate courses in both the fall and spring semesters of each academic year, except for faculty members employed by departments or schools only offering graduate degrees. As a condition of employment, a public institution of higher learning may require faculty to teach additional courses in the spring, fall, or any other designated academic term. (2)(a) Beginning July 31, 2025, and every year thereafter, public institutions of higher education shall report the following information regarding the previous academic year to the Commission of Higher Education:

(i) the number of full‑time faculty employed by the institution;

(ii) the number of full‑time faculty who have received tenure;

(iii) the number of part‑time faculty, including adjunct instructors or employees; and

(iv) the number of graduate assistants employed by the institution, including the number of classes taught by each assistant.

(b) The Commission of Higher Education shall:

(i) create a reporting system for a public institution of higher learning to use in fulfilling the reporting requirements; and

(ii) compile an annual report containing the information for each institution received pursuant to item (2)(a) and provide this report to the Governor, the Speaker of the House, and the President of the Senate before September first annually.

(C) For purposes of this section, ‘public institution of higher learning’ has the same meaning as in Section 59‑103‑5.”

SECTION 2. This act takes effect upon approval by the Governor.

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