

American Higher Education Restoration Act

Rather than emphasize excellence in teaching, America's public universities now produce a glut of academic "research" that almost no one reads and which does not meaningfully advance human knowledge. Unfortunately, this activity not only inflates costs to taxpayers by millions of dollars, but it has also been corrupted by ideological gatekeeping at academic journals who control what is published.

With a special focus on those committed to transmitting knowledge of American Constitutionalism and Western Civilization, this suite of reforms would prioritize excellence in teaching, restore ideological diversity and intellectual seriousness in faculty hiring, and turn off the spigot of automatic taxpayer funding for intellectually unserious "research" projects of activist academics.

Section 1: Tenure for Excellence in Instruction of Americanism & Western Civilization

- ✓ Restore pipeline of high-quality teachers in civics programs by creating new teaching-based tenure pathway that rewards instructional caliber rather than "research" output.
- ✓ Ensure that evaluations of faculty members' teaching effectiveness incorporate—rather than actively suppress—actual student feedback and considerations of course rigor.

Section 2: Increased Teaching Responsibilities for Faculty

- ✓ Require a minimum of 3-3 teaching load for faculty in non-STEM fields, with specified exemptions.

Section 3: Financial Allowance for Taxpayer Supported Research

- ✓ Replace the current model of automatic taxpayer funded support for (non-STEM) faculty "research" projects with a basic threshold of taxpayer accountability.
- ✓ Require that (non-STEM) faculty who wish to be released from their teaching expectations and instead engage in additional taxpayer funded "scholarship" clear a minimal baseline of assent from peers and taxpayer representatives.
- ✓ Require the disclosure of each (non-STEM) department's research activity and give preference for taxpayer funded research activity that is subsequently accessible to the public.
- ✓ Allow taxpayer or state enforcement against universities that fail to properly steward taxpayer resources.

Section 4: Restoring the Authority of the Governing Board to Make Hiring Decisions

- ✓ Require governing board approval of all new faculty job postings to ensure new positions are not gerrymandered by existing faculty to reinforce their ideological niche interests¹

Section 5: Definitions

¹ Adapted from introduced version of Texas SB 37, 2025

Section 1: Tenure for Excellence in Instruction of Americanism & Western Civilization

- A. The governing board of each public institution shall establish an Excellence in Americanism and Western Civilization teaching tenure pathway pursuant to this section.
- B. Faculty who teach a foundational education in Americanism and Western Civilization course shall be eligible to apply for tenure, including expedited tenure for retention, under this section in addition to any other pathways prescribed for the general faculty body by the institution.
- C. “Foundational education in Americanism and Western Civilization course” means a course section offered by any of the following academic units:
 - 1. [School / department / center]
 - 2. [School / department / center]
- D. In making determinations of tenure and its benefits under this section, the institution shall utilize comparable standards in effect under the institution’s ordinary tenure processes, except that:
 - 1. A candidate’s research portfolio shall not be used as a criterion for determining eligibility for tenure that is applied for under this section.
 - 2. Evaluation of teacher effectiveness:
 - a) Shall include both quantitative measures and all officially submitted written student feedback received as part of the institution’s student course evaluations.
 - b) Shall include the official course syllabus of all course sections taught by the candidate and take into consideration the rigor of the courses, including:
 - (1) The extent to which the courses have met the governing board’s adopted standards for contact hours and student homework hours per credit hour.
 - (2) The extent to which courses provide meaningfully academically challenging expectations, which may include factors such as the grading distribution of students who have completed each course, student feedback on course rigor, or time-intensive writing requirements.
 - c) May take into account feedback from classroom observations or content relevant workshops facilitated by the candidate for public audiences, teachers of secondary or elementary students, or students of other higher education programs, including feedback from other faculty of the institution or peer institutions designated by the [school / department / center].
 - 3. A candidate may include written responses to any student feedback submitted as part of the tenure portfolio.
 - 4. The denial of any administratively complete tenure file submitted under this section shall be submitted to the governing board for review by the board or the subcommittee on

educational excellence established pursuant to [Section 4] with any necessary redactions of personally identifying information. The subcommittee or the governing board may approve the tenure file of the candidate upon a majority vote.

5. [Optional: The [school / department / center] shall have sole authority to adopt the criteria for the evaluation of teacher effectiveness developed pursuant to this section, subject to approval by the [board of regents].]
6. [Optional: The [school / department / center] may make the Excellence in Americanism and Western Civilization teaching tenure application process available to lecturers, instructors, or other full-time teaching faculty who have completed the requisite number of years of service for tenure. The [school / department / center] may, as part of a retention offer, convert a lecturer, instructor or other full-time teaching faculty member to a tenure-track position.]

Section 2: Increase Teaching Responsibilities for Faculty

- A. Beginning in the [2026-2027] school year, except within academic units in the fields of science, technology, engineering, mathematics, or medicine, or within any academic unit identified in state law as offering a foundational education in Americanism and Western Civilization course, and except as provided in Subsection B, each new full-time faculty contract or retention offer at a public institution shall stipulate that the faculty member will deliver a minimum of 18 credit hours of instruction per academic or calendar year.²
- B. Faculty members may be exempted from the requirements of Subsection A as long as any of the following apply:
 1. The faculty member secures federal or other external funding for research or other purposes to proportionately compensate the institution for the reduction in the faculty member's contracted teaching duties.
 2. The faculty member is granted a course release or course releases under the [State] Financial Allowance for Taxpayer Supported Research established pursuant to [Section 3].
 3. The faculty member is granted a temporary sabbatical or course release(s) through other regular processes established by the governing board, provided the institution does not increase the overall frequency or duration of such course releases or sabbaticals granted as a share of contracted faculty hours beyond their 2024-2025 levels.
 4. The faculty member serves as a departmental chair, director of undergraduate or graduate studies, or performs other time-intensive administrative functions for which a position may be exempted in writing by the governing board or its subcommittee on academic excellence for the express purpose only of carrying out these functions.
- C. Nothing in this article shall be construed to prohibit any faculty member from conducting or publishing research performed in addition to contracted taxpayer supported duties, nor to limit the academic freedom of faculty.

² A standard course is 3 credit hours. 18 credit hours is equivalent to 6 courses, or 3 courses per semester. The credit-hour threshold may be modified to suit a particular institution.

- D. External funding secured pursuant to Subsection B, paragraph 1 shall fully compensate the institution for the value of all remuneration and employee related benefits paid by the institution for the employee, multiplied by the percentage of the employee's total contracted time associated with the exempted teaching duties.

Section 3: [State] Financial Allowance for Taxpayer Supported Research

- A. The Faculty Allowance for Taxpayer Supported Research is established within the [board of regents] to advance research and discovery of public value.
- B. Under the Faculty Allowance for Taxpayer Supported Research:
1. Current or prospective faculty of each public institution may apply for a two-year, renewable waiver from the minimum teaching requirements specified by [Section 2, Subsection A] in order to spend additional state taxpayer supported contract time on research and discovery of public value.
 2. The [board of regents] may determine the process and minimum requirements for granting waivers to faculty members provided the requirements are in accordance with the procedures of this section.
 3. Faculty seeking a waiver shall submit their research topics to the [State] Taxpayer Funded Research Award Committee, which shall be assisted by the staff of the [board of regents] and which shall be composed of the following members, or the respective designees thereof:
 - a) The chair of the board of regents.
 - b) The state superintendent of public instruction.
 - c) The chairman of the house appropriations committee.
 - d) The chairman of the senate appropriations committee.
 - e) The governor.
 - f) The state treasurer.
 - g) The following members appointed by the governor, subject to confirmation by the senate, to fill a term of four years:
 - i. One member who is a tenured faculty member of a public institution in any of the fields of science, technology, engineering, mathematics, or medicine.
 - ii. One member who is a tenured faculty member of a public institution in a field other than science, technology, engineering, mathematics, or medicine.
 - iii. One member who is a tenured faculty member of an academic unit identified in state law as offering a foundational education in Americanism and Western Civilization course.
 4. All members of the committee are voting members. Any vacancies that occur for any membership positions shall be filled upon vacancy and confirmation, as applicable, and not before, by the persons designated in [paragraph 3].

5. The Taxpayer Funded Research Award Committee may review the submitted waiver proposals of faculty members each academic year. The committee may vote to approve or reject each waiver request as follows:
 - a) For each waiver request, members may vote to approve, abstain, or reject.
 - b) Waiver requests receiving approval votes from at least one-third plus one of the total membership of the committee shall be declared approved. Research agendas receiving approval votes from one-third or less of the committee's total membership shall be declared rejected.
 - c) Waiver requests may be voted on in batches, except that any member of the committee may request an individual waiver submission be voted upon separately.
 6. Faculty who submit subsequent or renewal requests for waivers shall include copies of their prior waiver submissions as well as the description and status of all working papers and research recorded within their tenure file at their public institution. In considering waiver applications, the committee shall take into account the fulfillment of research described in prior waiver submission proposals.
 7. Faculty whose published works have made preeminent contributions to the academic or public discourse of their field as measured by scholarly citations of their work, publication or discussion in national periodicals, the authorship of acclaimed books relevant to their field for an academic or popular audience, or similar output, may be granted an indefinite waiver by a two-thirds majority of the committee.
- C. A taxpayer of this state or the attorney general may file suit for injunctive relief against a public institution that expends taxpayer funding in violation of this article to contract for a faculty member for less than the required teaching commitment.
- D. At least once every 2 years, each public institution shall submit a compilation of the research activity of each department within fields [optional: other than science, technology, engineering, mathematics, and medicine] of the institution to the [board of regents], which shall disclose a copy of each institution's report on its website and to each member of the Taxpayer Funded Research Award Committee. The compilation of research activity shall include at least the following:
1. The title, subtitle, description or abstract, and publication status of recently completed scholarship.
 2. The distribution of each department's faculty members' time allocated to teaching, research, and other activities.
- E. The Taxpayer Funded Research Award Committee shall give preference to waiver submissions that propose, or have previously successfully resulted in, published research in open-access venues, including freely accessible academic journals, books available for public purchase, or other publicly consumable media.

Section 4: Restoring the Authority of the Governing Board to Make Hiring Decisions

- A. The governing board shall approve or deny on an individual basis each faculty position to be posted or otherwise advertised at each institution under the governing board's authority except within academic units in the fields of science, technology, engineering, mathematics, medicine, or within any academic unit identified in state law as offering a foundational education in Americanism and Western Civilization course.
- B. The governing board shall post on the institution's Internet website notice of each meeting at which a posting or other advertisement for a faculty position described by Subsection A will be considered at least seven business days before the meeting.
- C. Each institution that submits a proposed faculty position to the governing board for approval shall include copies of each proposed faculty position that has been denied or approved by the governing board during the past 5 years and a copy of the curriculum vitae of the candidate ultimately selected for each approved position.
- D. This section shall not apply to adjunct instructors, non-renewable interim positions up to one year, or positions granted a waiver by the subcommittee on academic excellence established pursuant to Subsection E. The subcommittee on academic excellence may delegate waiver authority to the president or provost of the university for renewable 2-year periods.
- E. The governing board may establish a subcommittee on educational excellence composed of members of the governing board or their designees to fulfill the requirements established in this section. Employees of the public institution may not comprise more than one-third of the members or designees at any convening of the subcommittee.

Section 5: Definitions:

- A. In this article, unless the context clearly requires otherwise, the following terms have the following meanings:
 - 1. "Public institution" means a public institution of higher education in this state, including public universities and community colleges.
 - 2. "Governing board" means the body responsible for governing a public institution of higher education in this state.
 - 3. "Faculty" means a full-time employee housed in an academic unit whose primary job duties are teaching and/or research.
 - 4. "Adjunct instructor" means a non-full-time employee hired to teach courses on a per-course basis at a public institution of higher education.
 - 5. "External funding" means funding from a source independent of the public institution, including its foundation or component units.
 - 6. [Optional: "science" does not include sociology, political science, or other "social sciences."]