



Adopted	Rejected
---------	----------

# COMMITTEE REPORT

YES: 8  
NO: 4

**MR. SPEAKER:**

Your Committee on Education, to which was referred Senate Bill 202, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

- 1 Page 1, delete lines 1 through 15.
- 2 Delete pages 2 through 14.
- 3 Page 15, delete lines 1 through 8.
- 4 Page 15, line 20, reset in roman "minority".
- 5 Page 15, line 20, after "minority" insert "**and**".
- 6 Page 15, line 36, reset in roman "minority".
- 7 Page 15, line 36, after "minority" insert "**and**".
- 8 Page 16, line 9, reset in roman "minority".
- 9 Page 16, line 9, after "minority" insert "**and**".
- 10 Page 16, line 24, reset in roman "minority".
- 11 Page 16, line 24, after "minority" insert "**and**".
- 12 Page 16, line 40, reset in roman "minority".
- 13 Page 16, line 40, after "minority" insert "**and**".

- 1 Page 17, line 13, reset in roman "minority".
- 2 Page 17, line 13, after "minority" insert "**and**".
- 3 Page 17, line 29, reset in roman "minority".
- 4 Page 17, line 29, after "minority" insert "**and**".
- 5 Page 17, delete lines 33 through 42.
- 6 Delete page 18.
- 7 Page 19, delete lines 1 through 9.
- 8 Page 20, line 20, delete "or mentoring".
- 9 Page 20, line 40, delete "Each" and insert "**Subject to subsection**
- 10 **(c), each**".
- 11 Page 21, line 9, delete "mentoring".
- 12 Page 21, between lines 13 and 14, begin a new paragraph and insert:
- 13 "**(c) A policy established under subsection (b) must provide that**
- 14 **the board of trustees of an institution may not consider the**
- 15 **following actions by a faculty member when determining whether**
- 16 **a faculty member may not be granted tenure or a promotion by the**
- 17 **institution:**
- 18 **(1) Expressing dissent or engaging in research or public**
- 19 **commentary on subjects.**
- 20 **(2) Criticizing the institution's leadership.**
- 21 **(3) Engaging in any political activity conducted outside the**
- 22 **faculty member's teaching or mentoring duties at the**
- 23 **institution.**".
- 24 Page 21, line 25, delete "mentoring".
- 25 Page 21, delete line 39 and insert "**met the criteria under**
- 26 **subsection (a),**".
- 27 Page 22, line 4, delete "mentoring".
- 28 Page 22, line 25, delete "or".
- 29 Page 22, line 26, delete "mentor".
- 30 Page 23, delete lines 31 through 36, begin a new line block indented
- 31 and insert:
- 32 "**(2) Not later than July 1, 2025, and not later than July 1 of**
- 33 **each odd-numbered year thereafter, submit the report**
- 34 **described in subdivision (1) to the legislative council in an**
- 35 **electronic format under IC 5-14-6.**".
- 36 Page 24, line 17, delete "or".
- 37 Page 24, line 18, delete "mentor".
- 38 Page 26, line 1, after "education" insert ":".

- 1 Page 26, line 1, delete "and".
- 2 Page 26, delete line 2.
- 3 Page 26, line 14, delete "Recommend" and insert "**Submit a**
- 4 **report**".
- 5 Page 26, line 14, after "committee" insert "**regarding**".
- 6 Page 26, delete lines 19 through 23.
- 7 Page 27, delete lines 11 through 13.
- 8 Page 27, delete lines 16 through 21 and insert "**a petitioner may**
- 9 **request that the commission for higher education review the**
- 10 **institution's final decision under the following circumstances:**
- 11 (1) **A procedural defect materially affected the institution's**
- 12 **final decision.**
- 13 (2) **New evidence that materially affects the institution's final**
- 14 **decision and was not reasonably available at the time the final**
- 15 **decision was rendered becomes available.**
- 16 (3) **The institution's investigator had a conflict of interest or**
- 17 **bias concerning the petitioner that materially affected the**
- 18 **institution's final decision.**
- 19 (4) **The petitioner believes the institution disregarded law in**
- 20 **rendering a final decision."**
- 21 Page 27, line 23, delete "order" and insert "**opinion**".
- 22 Page 27, line 31, delete "and".
- 23 Page 27, line 32, delete "the state budget committee".
- 24 Page 28, line 21, delete "Recommend" and insert "**Submit a**
- 25 **report**".
- 26 Page 28, line 21, after "committee" insert "**regarding**".
- 27 Page 28, delete lines 27 through 30, begin a new paragraph and
- 28 insert:
- 29 "**Sec. 3. Not later than September 1, 2024, and September 1 of**
- 30 **each year thereafter, a state educational institution shall submit to**
- 31 **the state budget committee a report with the following information**
- 32 **for the preceding state fiscal year:"**.
- 33 Page 28, line 31, delete "For each academic year, the" and insert
- 34 "**The**".
- 35 Page 28, line 37, delete "For each academic year, the" and insert
- 36 "**The**".
- 37 Page 28, line 40, delete "For each academic year, the" and insert
- 38 "**The**".

- 1 Page 29, line 3, delete "does" and insert "**did**".
- 2 Page 29, line 5, delete "does" and insert "**did**".
- 3 Page 29, line 7, delete "does" and insert "**did**".
- 4 Page 29, between lines 8 and 9, begin a new line block indented and
- 5 insert:
- 6 **"(7) The institution's budget allocations for diversity, equity,**
- 7 **and inclusion initiatives."**
- 8 Page 29, delete line 9.
- 9 Renumber all SECTIONS consecutively.  
(Reference is to SB 202 as reprinted February 6, 2024.)

**and when so amended that said bill do pass.**

**Representative Behning**