

LFC Requester:	LFC
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**AGENCY BILL ANALYSIS
2026 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Click all that apply:

Original **Amendment**
Correction **Substitute**

Date Prepared: 2026-02-05
Bill No: SB307

Sponsor: Sharer, William E
HIGHER ED REGENT
Short Title: DECISIONS ABOUT TENURE

Agency Name and Code NMHED
Number: _____
Person Writing: Gallegos, Brittany
brittany.
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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
N/A	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue	Recurring	Fund Affected

FY26	FY27	FY28	or Nonrecurring	
N/A	N/A	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	N/A	N/A	N/A	N/A	N/A	N/A

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:

Duplicates/Relates to Appropriation in the General Appropriation Act:

SECTION III: NARRATIVE

BILL SUMMARY

Senate Bill 307 (SB307) removes the authority of boards of regents at state institutions of higher education to award, deny, revoke, or place conditions on academic tenure. The bill provides that all tenure decisions must instead be made in accordance with institutional policies and based on recommendations from the institution’s faculty. This shifts final decision-making authority for tenure matters away from governing boards and toward institution-level processes.

The New Mexico Higher Education Department’s (NMHED’s) analysis of this bill focuses on the higher education implications of the proposed legislation. Additional insight may be obtained from other agencies’ analyses.

FISCAL IMPLICATIONS

SB307 does not contain an appropriation.

SIGNIFICANT ISSUES

SB307 removes boards of regents from any authority to award, deny, revoke, or place conditions on academic tenure. Tenure decisions would instead rest entirely within institutional processes based on faculty recommendations.

Faculty participation in tenure decisions is a central component of shared governance in higher education. However, tenure review at most institutions involves multiple levels of administrative evaluation, including department leadership, deans, and provosts, before reaching a governing board.

Boards of regents typically do not originate tenure decisions but serve as the final approval authority within this established chain of review. Removing that role may raise questions about oversight and how this change aligns with boards' broader statutory responsibilities for institutional governance and personnel matters.

The bill may also create ambiguity regarding where final institutional authority would reside in disputed or exceptional tenure cases. Institutions may need to revise internal policies to clarify decision-making authority, appeal pathways, and accountability structures.

PERFORMANCE IMPLICATIONS

SB307 does not contain any performance measures for NMHED or higher education institutions.

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

TECHNICAL ISSUES

The bill removes boards of regents from having any power to award, deny, revoke, or condition tenure, but does not identify which specific institutional authority holds final approval responsibility. While it references decisions being made in accordance with institutional policies and based on faculty recommendations, it does not explicitly clarify whether final authority rests with a provost, president, or another administrative officer. This lack of specificity could lead to inconsistent interpretation across institutions.

Given the diversity of institutional missions, tenure policies are not uniform among all public institutions.

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

Rather than removing boards of regents entirely from tenure decisions, the Legislature could consider clarifying in statute that tenure recommendations should originate through established shared governance processes that include faculty and multiple levels of academic review. The role of the board could be defined as a final approval authority that does not substitute its academic judgment for that of faculty, except in cases involving legal, financial, or policy compliance concerns.

Another alternative would be to require institutions to adopt and publish clear tenure policies that outline the roles of faculty, administrators, and governing boards in the review process, ensuring transparency and consistency while preserving both shared governance and board oversight responsibilities.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

If SB307 is not enacted, boards of regents will retain their existing role in the final approval or denial of tenure decisions under current institutional and statutory frameworks. Tenure processes will continue to follow established shared governance structures that include faculty review and administrative recommendations culminating in board action.

AMENDMENTS

N/A