

UNIVERSITY OF ILLINOIS
URBANA-CHAMPAIGN SENATE

Committee on University Statutes and Senate Procedures
(Second Reading; Action)

SP.14.06 Proposed Revisions to the *Statutes*, Article II, Section 2.b and Article XIII, Section 8 – to authorize the University Senates Conference to initiate revisions to the *Statutes*

BACKGROUND

The attached proposed revisions are presented to the Senate in response to a June 21, 2013 request from the University Senates Conference (USC) that the *University Statutes* be revised to articulate a means whereby the USC may initiate the process for amending the *Statutes*.

On occasion, the USC has sent to the campus Senates proposals for amendments to the *University Statutes*. Some of these proposals have originated from University administration. These amendments have included ST-30, which provided for sanctions less than dismissal (in *University Statutes*, Article IX, Section 6), and ST-45, on interruptions of the probationary period (which appeared in several different articles of the *Statutes*). In these cases and others, the Administration recommended amendments to the USC, which studied the proposals and then referred them to each respective Senate for consideration and debate.

Although this practice has been employed from time to time, the *Statutes* are silent about what particular process should be followed when *Statutes* proposals originate with USC. The current proposal describes the existing practice, confirming that USC may introduce amendments to the *Statutes*. It further preserves the autonomy of the respective Senates to follow their own legislative processes in considering such proposals. Specifically, it requires that all proposals for amendments to the *Statutes*, including those coming from the USC, must be referred to the respective Senates. A Senate will not be bound by the text accompanying such proposals, and may subject the proposal to amendment and adaptation, following its own procedures.

Accordingly, the Senate Committee on University Statues and Senate Procedures (USSP) is offering an amendment to Article XIII, Section 8 and is offering new language to Article II, Section 2.b to provide consistency with the present provisions in Article II that authorize the senates to propose amendments through the following existing language:

“Each senate may propose amendments to these *Statutes* through the University Senates Conference to the president and the Board of Trustees as provided in Article XIII, Section 8.” (Article II, Section 1.f)

For reference, USC’s June proposal (ST-79) is attached to this document as Appendix A. On examining USC’s proposal, the USSP concluded that the language could be both simplified and clarified, especially in regard to the process that should be followed in the respective campus senates. The USC proposal could be interpreted as limiting the campus Senates to

merely affirming or rejecting the amendment, with or without comments, which would be inconsistent not only with existing practice but also with the spirit of the *Statutes*.

RECOMMENDATION

The Senate Committee on University Statutes and Senate Procedures recommends approval of the following revisions to the *Statutes*, Article II, Section 2.b and Article XIII, Section 8. Text to be added is underscored and text to be deleted is indicated by ~~strikeout~~ (e.g., ~~sample text for deletion~~).

PROPOSED REVISIONS TO THE *STATUTES*, ARTICLE II, SECTION 2.B AND ARTICLE XIII, SECTION 8

1

2 ARTICLE II. LEGISLATIVE ORGANIZATION

3 Section 2. University Senates Conference

4 b. *Functions.*

5 The University Senates Conference shall review all matters acted upon by each
6 senate. The conference shall determine whether senate actions requiring
7 implementation or further consideration by officials or other groups within the
8 University have been referred to the appropriate officials or groups. The
9 conference itself may make any original or additional referral it deems
10 advisable, and may append its comments and recommendations. Should the
11 conference find a matter acted upon by one of the senates to be of concern to
12 another senate, it shall refer the matter and the action to that senate. If two or
13 more senates have acted differently on a subject, the conference shall attempt to
14 promote agreement or consistency. Where agreement or consistency cannot be
15 effected within a reasonable period of time, the conference shall transmit the
16 related actions of the senates together with its own recommendations to the
17 appropriate officials or groups within the University and shall simultaneously
18 notify the secretary of each senate of its action. Any senate may record and
19 transmit its further comments to the same addressees and to the conference.

20 The University Senates Conference shall assist the senates to communicate with
21 one another, with University and campus administrative officials, and with the
22 Board of Trustees (through the president), and may develop and implement
23 procedures to enhance such communication.

24 The University Senates Conference may propose amendments to these *Statutes*
25 through the several senates as provided in Article XIII, Section 8.

26 ARTICLE XIII. GENERAL PROVISIONS

27 Section 8. Amendments

28 a. *Initiation by a Senate or by the University Senates Conference.*

29 (1) Each of the senates by vote of a majority of all members present and voting at a
30 regular or special meeting may propose amendments to these *Statutes*. No final
31 senate action shall be taken on a proposed amendment until the next meeting

32 following the one at which it was introduced. The secretary of a senate shall
33 notify the secretary of the other senates and the secretary of the University
34 Senates Conference of the text of a proposed amendment promptly after the
35 meeting at which it is introduced. The proposed amendment shall be referred
36 to the University Senates Conference for its consideration and transmission to
37 the other senates for action; the conference may append its comments and
38 recommendations. [continue here without paragraph break] The proposed
39 amendment shall be placed promptly on the agenda of the other senates.

40 (2) The University Senates Conference by vote of a majority of all members present
41 and voting at a regular or special meeting may propose amendments to these
42 Statutes. The secretary of the conference shall notify the secretaries of the
43 campus senates of the text of a proposed amendment promptly after the
44 meeting at which it is introduced. The proposed amendment shall be
45 transmitted to the senates for such action as each of them shall see fit; the
46 conference may append its comments. The proposed amendment shall be
47 placed promptly on the agenda of each senate.

48 (3) Each senate may act on the proposed amendment in accord with its own
49 established procedures, including the right to accept, to modify, or to reject any
50 proposed amendment or proposed statutory text. Final action in each senate on
51 the proposed amendment may be taken by a majority of all members present
52 and voting at a regular or special meeting held not earlier than the next meeting
53 following the one at which it was introduced in that senate.

54 (4) If every senate acts affirmatively on the proposed amendment and concurs as to
55 its text, the conference shall send the proposed amendment to the president for
56 transmission to the Board of Trustees and shall simultaneously notify the
57 senates of its action; the conference may append its comments. If the senates do
58 not agree as to the proposed amendment, the conference shall endeavor to
59 promote agreement of the senates. Where agreement cannot be effected among
60 all the senates within a reasonable period of time, but the text of a proposed
61 amendment has been agreed upon by all but one of the senates, the conference
62 shall send that proposed amendment, the recommendations of the dissenting
63 senate, and its own recommendations to the president for transmission to the
64 Board of Trustees and shall simultaneously notify the senates of its action. A
65 senate may record and send its further comments to the president for
66 transmission to the Board of Trustees.

67 *b. Initiation by the Board of Trustees.* The Board of Trustees may initiate proposals to
68 amend the *Statutes*, but the board shall not finally adopt any such proposal without
69 first seeking the advice of the president, the senates, and the University Senates
70 Conference. Any proposal to amend the *Statutes* which is initiated by the Board of
71 Trustees shall be transmitted through the president to the University Senates
72 Conference and transmitted by the conference, with its recommendations, to the
73 senates for consideration and advice. The proposed amendment shall be placed
74 promptly on the agenda of each of the senates. If the senates do not agree in their

75 advice concerning the proposed amendment, the conference shall endeavor to
76 promote agreement; where agreement cannot be achieved within a reasonable
77 period of time, the conference shall send the advice of the senates and its own
78 recommendations to the president for transmission to the Board of Trustees and
79 shall simultaneously notify the senates of its action. A senate may record and send
80 its further comments to the president for transmission to the Board of Trustees.

81 c. An amendment shall become effective when approved by the Board of Trustees or
82 at such later time as the board may specify.

UNIVERSITY STATUTES AND SENATE PROCEDURES

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Appendix A

USC ST-79
Approved 6/18/13

PROPOSED REVISIONS TO THE *STATUTES*

(Text to be deleted is in [square brackets] and text to be added is underlined.)

ARTICLE XIII. General Provisions

Section 8. Amendments

a. *Initiation by a Senate.* Each of the senates by vote of a majority of all members present and voting at a regular or special meeting may propose amendments to these *Statutes*. No final senate action shall be taken on a proposed amendment until the next meeting following the one at which it was introduced. The secretary of a senate shall notify the secretary of the other senates and the secretary of the University Senates Conference of the text of a proposed amendment promptly after the meeting at which it is introduced. The proposed amendment shall be referred to the University Senates Conference for its consideration and transmission to the other senates for action; the conference may append its comments and recommendations.

The proposed amendment shall be placed promptly on the agenda of the other senates. If every senate acts affirmatively on the proposed amendment and concurs as to its text, the conference shall send the proposed amendment to the president for transmission to the Board of Trustees and shall simultaneously notify the senates of its action; the conference may append its comments. If the senates do not agree as to the proposed amendment, the conference shall endeavor to promote agreement of the senates. Where agreement cannot be effected among all senates within a reasonable period of time, but the text of a proposed amendment has been agreed upon by all but one of the senates, the conference shall send that proposed amendment, the recommendations of the dissenting senate, and its own recommendations to the president for transmission to the Board of Trustees and shall simultaneously notify the senates of its action. A senate may record and send its further comments to the president for transmission to the Board of Trustees.

b. *Initiation by the University Senates Conference.* The University Senates Conference by vote of a majority of all members present and voting at a regular or special meeting may propose amendments to these *Statutes*. The secretary of the conference shall notify the secretary of the campus senates and the secretary of the Board of Trustees of the text of a proposed amendment promptly after the meeting at which it is introduced. The proposed amendment shall be transmitted to the senates for action; the conference may append its comments.

The proposed amendment shall be placed promptly on the agenda of the senates. If every senate acts affirmatively on the proposed amendment and concurs as to its text, the conference shall send the proposed amendment to the president for transmission to the Board of Trustees and shall simultaneously notify the senates of its action; the conference may append its comments. If the senates do not agree as to the proposed amendment, the conference shall endeavor to promote agreement of the senates. Where agreement cannot be effected among all senates within a reasonable period of time, but the text of a proposed amendment has been agreed upon by all but one

of the senates, the conference shall send that proposed amendment, the recommendations of the dissenting senate, and its own recommendations to the president for transmission to the Board of Trustees and shall simultaneously notify the senates of its action. A senate may record and send its further comments to the president for transmission to the Board of Trustees.

[b]c. *Initiation by the Board of Trustees.* The Board of Trustees may initiate proposals to amend the *Statutes*, but the board shall not finally adopt any such proposal without first seeking the advice of the president, the senates, and the University Senates Conference. Any proposal to amend the *Statutes* which is initiated by the Board of Trustees shall be transmitted through the president to the University Senates Conference and transmitted by the conference, with its recommendations, to the senates for consideration and advice. The proposed amendment shall be placed promptly on the agenda of each of the senates. If the senates do not agree in their advice concerning the proposed amendment, the conference shall endeavor to promote agreement; where agreement cannot be achieved within a reasonable period of time, the conference shall send the advice of the senates and its own recommendations to the president for transmission to the Board of Trustees and shall simultaneously notify the senates of its action. A senate may record and send its further comments to the president for transmission to the Board of Trustees.

[c]d. An amendment shall become effective when approved by the Board of Trustees or at such later time as the board may specify.