SP.15.15 General Revisions to the Statutes Motion #6, #7, and #8

BACKGROUND

In August 2012, the Governance, Personnel, and Ethics Committee of the Board of Trustees requested an overall review of the University Statutes. The Board authorized an ad hoc committee to conduct this review. That committee consisted of faculty from all three campuses, as well as various University administrators. The Statutes and Governance subcommittee of the University Senates Conference (USC) also participated in the review process. The Board’s committee on Governance, Personnel, and Ethics reviewed the proposed changes, and this October, asked USC to seek the approval of the changes from the campus senates. At the October 20, 2014 Senate meeting, item UC.15.03 communicated a redline/strikeout version of the Statutes for consideration. To correct for a clerical error, the Senate Committee on University Statutes and Senate Procedures (USSP) was later provided with an October 24, 2014 updated version of the proposed revisions. To facilitate consideration of the changes, the USC’s UC.15.03 divided the changes into batches to be considered as eight successive motions.

Starting in October, and as mandated by the Bylaws of the Urbana-Champaign Senate, USSP has conducted its own review of these recommended revisions to prepare them for the Senate to consider as it votes its advice to the Board, as provided by Article XIII, Section 8 b of the Statutes. The suggested changes are extensive, affecting every Article of the Statutes. Some of them are simply editorial adjustments, clarifying ambiguous language, for example, but some proposals would make more substantive changes. For the Senate to consider these amendments in an orderly way, USSP offers several resolutions covering different sections of the revisions.

In the course of its review, USSP has found the vast majority of the changes to be appropriate and advisable, but it has had specific concerns about some of the proposed changes. These have been identified in December, February, March and the present motions to the Senate. Thus, at the December 8, 2014 Senate meeting, USSP presented its recommendations on the first two batches (Motions 1 and 2) of proposed revisions, and further submissions were made at the February 9, 2015 (Motions 4 and 5) and March 9, 2015 (Motion 3) Senate meetings.

With the present set of resolutions (covering motions 6, 7, and 8), USSP completes the cycle of the motions outlined by USC’s October request. Based on recent communications from USC, we understand that there will be a few further matters to be considered. These include a recommendation to move the intellectual property provisions from the General Rules into the Statutes and a further set of edits that USC is recommending to reconcile wording variations in how the Chicago, Springfield, and Urbana campuses have dealt with the text of the proposed amendments. USSP hopes to be able to present these further items to the UIUC Senate before the end of the current semester.

Attached is the text of the Statutes related to this portion of the review with redline/strikeout markings to illustrate the revisions emerging from the Board of Trustees review and below are USSP’s recommendations for action to be taken by the Senate. Those matters on which USSP recommends that the Senate take a different stance are articulated in the Recommendations below.
**RECOMMENDATION ONE:**
The Senate Committee on University Statutes and Senate Procedures recommends approval, subject to any later amendments that may be necessary, of the revisions to the *University Statutes* as contained in Motion 6: Lines 939-1352 (Article VII, Section 3 – Article IX, Section 6) with the exceptions identified below. For these exceptions, we note the Board’s proposed change, followed by USSP’s recommendation. Text to be added is underscored and text to be deleted is indicated by strikeout (e.g., sample text for deletion).

1.1 Lines 1132-1137 propose the insertion of the following text: “All federal and state laws related to employment and selection, as well as, the University Non-Discrimination Statement, must be followed when selecting candidates for employment and when selecting employees for promotional opportunities.” While the reference to the need to comply with laws should be superfluous, USSP’s only recommendation on this insertion is to remove the comma after “as well as.”

1.2 Lines 1163-1165 propose revising an existing clause with the addition as marked with underlining: “b. Appointments shall be made solely on the basis of the special fitness of the individual for the work demanded in the position and other university policies and guidelines regarding recruitment, selection and promotion.” USSP suggested revising the wording to read: “b. Appointments shall be made solely on the basis of the special fitness of the individual for the work demanded in the position and shall follow university policies and guidelines regarding recruitment, selection, and promotion.”

1.3 Lines 1167-1176: Line 1170 suggests the insertion of the word “specialized” in the existing text as reflected in the following: “Modifying terms such as “research,” “adjunct,” “specialized,” “clinical,” and “visiting” may be used in conjunction with these academic ranks. . . .” USSP recommends replacing the modifier “specialized” with the modifier “teaching.” The term “specialized” is not used for any formal statement of appointment; however, “teaching” is used for appointments. For purposes of clarity and ease of reference, USSP recommends placing the modifying terms in alphabetical order. The resulting lines would then read:

The following ranks, and only these ranks, of the academic staff as defined in Article IX, Section 4a, are subject to the provisions of Article X, Section 1: professor, associate professor, and assistant professor. Modifying terms such as “adjunct,” “clinical,” “research,” “teaching,” and “visiting” may be used in conjunction with these academic ranks (e.g., “adjunct assistant professor,” “clinical associate professor,” “research professor,” “visiting professor”); but no appointment for an indefinite term may be made in which a modifying term is used in the academic rank. Furthermore, an appointment in which a modifier is used in the title will not count toward completion of the probationary period, as provided in Article X, Section 1, unless specially recommended by the executive officer of the unit and approved by the dean and by the chancellor/vice president or an officer authorized to act for the chancellor/vice president.

1.4 The current lines 1178-1180 read: “Other academic ranks recognized within the academic staff are: (1) lecturer; (2) instructor; (3) teaching associate, research associate, and clinical associate; (4) teaching assistant, research assistant, and clinical assistant. USSP discussed this wording and recommends that it be deleted and replaced with the following to reflect the current full array of possible titles: “Other academic ranks recognized within the academic staff are: (1) instructor, senior instructor, lecturer, and senior lecturer which may be modified by “adjunct,” “clinical,” or “visiting”; (2) clinical associate, research associate (which may be modified by “post doctoral”), and teaching associate, each of which may be modified by “adjunct” or “visiting”; (3) clinical assistant, research assistant, teaching assistant, and other graduate assistants.”

1.5 Lines 1208-1211 propose the insertion of a new paragraph “f. Academic appointments requiring direct approval of the Board of Trustees include the President, University officers, deans, academic staff, the CEO of the University hospital, directors of intercollegiate athletics, head coaches for football and basketball. Board approval prior to the beginning date is required for all new administrative and
faculty appointments.” USSP does not recommend the use of “academic staff” in line 1209 because that would encompass all employees who are not civil service, and USSP does not agree with the use of “all new administrative” in line 1211 which is also too inclusive. Instead, USSP recommends that the new paragraph read as follows: “The Board of Trustees shall from time to time publish a list of appointments that require direct approval by the Board and the operational requirements for submitting appointment recommendations to the Board. Board approval prior to the beginning date is required for all new tenure system appointments.”

1.6 Lines 1230-1231 propose to amend the first sentence of Article IX Section 4 Paragraph c as follows: “c. Minimum salaries for the various ranks shall be determined each campus and accepted by the Board of Trustees.” In recognition of the Board of Trustee's traditional role of reviewing and approving the minimum salaries as listed in the Gray Book, USSP recommends that this sentence be revised instead as follows: “Minimum salaries for the various ranks shall be determined by the chancellor/vice president of each campus and reviewed by the Board of Trustees.”

1.7 Lines 1241-44 propose insertion of a new paragraph: “f. For University Administration employees, University Administration may adopt and administer policies and procedures in accordance with federal and state laws and university policies/statutes to apply consistent practices for University Administration employees across the three campuses and satellite offices.” USSP recognizes that this new paragraph provides a clarification for the administrative position of University Administration academic staff members at the separate campuses. However, to eliminate superfluous and unnecessary wording and consistency with terminology elsewhere in the Statutes, USSP recommends the following substitute language: “f. For University Administration employees, University Administration may adopt and administer policies and procedures in accordance with federal and state laws and university policies/statutes to apply consistent practices for University Administration academic staff across the three campuses and satellite offices.”

1.8 Lines 1254-1255 propose to amend the existing language of Section 5 b “No person employed by the University shall have any interests incompatible with that person’s obligations to the University,” by appending “unless those activities/interests are guided by other applicable University/Campus policies.” USSP finds the phrasing of the “unless” clause to be vague and recommends instead that this paragraph be amended as follows: “No person employed by the University shall have any interests incompatible with that person’s obligations to the University. If an employee’s outside activities pose real or potential conflicts of commitment or interest with the employee’s obligations to the University, those activities must be disclosed, reviewed, and, if appropriate, managed under applicable University and campus policies.”

1.9 Lines 1257-62 propose: “c. Full-time employees shall not receive compensation for services with the University in excess of a normal schedule except for a reasonable amount of instruction in continuing education and public service programs, or for the grading of special examinations (outside regular course work) stipulated by the University, or other specialized functions, all to be done at a time that does not conflict with other university duties and that are not within their home unit.”

However, USSP recommends that the words “and that are not within their home unit” be deleted from the proposal because home units sometimes require service in excess of a normal schedule. For the remainder of the paragraph (lines 1262-66) USSP recommends a modified text as reflected by the strikeouts and insertions in the following: “Exceptions may be made to this rule in special cases which are approved by the dean of the college or executive officer of a similar division (or a designee thereof) of which the employee is a member provided that if such additional payments exceed a nominal amount the advance approval of the appropriate administrator or chancellor/vice president shall be secured. These exceptions shall be held to a minimum.” USSP recommends removal of “appropriate administrator” because it is too vague.
RECOMMENDATION TWO:
The Senate Committee on University Statutes and Senate Procedures recommends approval, subject to any later amendments that may be necessary, of the revisions to the University Statutes as contained in Motion 7: Lines 1354-1941 (Article IX, Section 7 – Article X, Section 2) with the exceptions identified below. For these exceptions, we note the Board’s proposed change, followed by USSP’s recommendation. Text to be added is underscored and text to be deleted is indicated by strikeout (e.g., sample text for deletion).

2.1 Line 1452 proposes: “Section 8. Graduate Work of Academic Staff Members Employees” USSP believes that retaining the words “academic staff members” is more consistent with related sections of the Statutes. Thus, USSP recommends restoring the title of Section 8 to: “Section 8. Graduate Work of Academic Staff Members.”

2.2 Lines 1509-12 should be deleted since they unnecessarily replicate the addition being made in 1241-44. Further, on line 1516 the rubric/paragraph designation of “b” should be changed to “a.”

2.3 Lines 1531-43. The USC proposal adds two unnumbered hanging indent paragraphs. Because the existing provisions in lines 1528-30 presently provide the necessary statutory authorization for the procedural details of the matter being introduced in lines 1531-43 and because the issues suggested by the specificity of the proposed lines 1531-43 raise issues of significant complexity, USSP recommends that the proposed 1531-43 text be removed from the current proposal and that the issues it raises be referred to an appropriate committee and then brought back, if necessary, for a future amendment to the Statutes.

2.4 Lines 1678-80 propose: “(4) An academic staff appointment with the rank of clinical assistant, research assistant, or teaching assistant shall be for not longer than one year and notice of nonreappointment is not required.” USSP recommends deletion of the proposed words “academic staff” as both unnecessary and inconsistent with the related provisions in paragraphs (3), (5), (6), (7), and (8).

2.5 Lines 1686-89 need a few words added to be consistent with the revisions proposed for lines 1178-1180, above (see item 1.4). Thus, USSP recommends the following as substitute text: “(6) An appointment which includes in the title the term “adjunct,” or “clinical,” or “teaching”, modifying the term “professor”, “associate professor” or “assistant professor,” as authorized in the first paragraph of Article IX, Section 3c, or an appointment with the rank of lecturer or instructor, lecturer or senior lecturer, or instructor, clinical instructor, or senior instructor, shall be for not longer than three years.”

2.6 Lines 1696-99 need a clarification added and the use of the standardized title for appointment notices. Thus, USSP recommends the following text: “Written notice of nonreappointment is required in the case of full-time appointments at these ranks other than appointments that are for no more than one year, and are nonsalaried, part-time, or conditional upon the receipt of nonappropriated funds (as specified in the notice of appointment Notification of Appointment).”

RECOMMENDATION THREE:
The Senate Committee on University Statutes and Senate Procedures recommends approval, subject to any later amendments that may be necessary, of the revisions to the University Statutes as contained in Motion 8: Lines 1942-2192 (Article XI, Section 1 – Article XIII, Section 8) with the exceptions identified below. For these exceptions, we note the Board’s proposed change, followed by USSP’s recommendation. Text to be added is underscored and text to be deleted is indicated by strikeout (e.g., sample text for deletion).

3.1 Lines 2018-19, Change proposed language from: “Such encouragement includes the endorsement and support of acceptable proposals for outside contracts or grants by sponsoring external agencies and groups.” to “Such encouragement includes the endorsement and support of acceptable proposals for outside contracts or grants by sponsoring external agencies and groups.”
3.2 Lines 2024-25 propose “Funds to meet these indirect costs must be provided either by the sponsors, by special arrangement, or by tax funds.” USSP questions whether “special arrangement” is appropriate for what it imagines is at issue here.

3.3 Lines 2052-54 propose adding: “The General Rules Concerning University Organization and Procedure shall contain rules and regulations regarding intellectual property.” USSP understands that there is a forthcoming proposal to move all of the intellectual property provisions of the General Rules to the Statutes, and we believe that proposal may have merit. However, until such a proposal has been made and approved, the proposed addition in lines 2052-54 noted above should be retained in the proposals for a general revision of the Statutes.

UNIVERSITY STATUTES AND SENATE PROCEDURES
William Maher, Chair
H. George Friedman
Wendy Harris
Scott Jacobs
Calvin Lear
Anna-Maria Marshall
Mark Roszkowski
Cheyenne Wu
Sandy Jones, Ex officio (designee)
Jenny Roether, Ex officio
Dedra Williams, Observer
status upon recommendation of the appropriate chancellor/vice president or chancellors/vice presidents subject to the *Statutes* and *The General Rules* governing the campus operations.

### Section 2. University Press

**a.** The University Press is responsible for developing and conducting the University’s program of publishing books, monographs, and journals.

**b.** The director of the University Press shall be appointed annually by the Board of Trustees on the recommendation of the president. The director shall be the principal administrative officer of the press and shall be responsible to the president.

**c.** There shall be a University Press Board composed of the director of the press, the deans of the Graduate Colleges or their representatives, and six appointed faculty members. Appointments to the board shall be made by the president after consultation with the director of the University Press and the vice president for academic affairs. The University Press Board shall advise the director of the press regarding policies and administration. The chair shall be elected from among the faculty membership.

### Section 3. Councils on Teacher Education

**a.** At each campus engaged in teacher education, there shall be a Council on Teacher Education composed of the deans and directors of the respective colleges, schools, and similar units at that campus which offer curricula in the preparation of teachers for the elementary and secondary schools. The chair of the council shall be named by the campus chancellor/vice president.

**b.** The duties of the council are to formulate policies and programs of student selection, retention, guidance and preparation, and placement in elementary and secondary schools in conformity with educational policies established by the campus senate.

**c.** At each campus, the council is authorized to appoint area-of-specialization committees in each of the major teaching fields, committees on teacher placement, and such other committees as may be needed. These committees shall be composed of representatives from the College of Education or comparable campus program and from major subject-matter fields represented in any given curriculum.

The area-of-specialization committees shall be responsible for the improvement of their respective teacher-education curricula, counseling procedures in their areas, and other activities related thereto. Each committee shall recommend action to the Council on Teacher Education on its campus.

**d.** Students shall not be eligible for university approval of their status as prospective teachers unless they have elected a curriculum approved by the campus Council on Teacher Education.
Section 4.  Agricultural Experiment Station

The Agricultural Experiment Station shall be administered by a director, who shall be appointed annually by the Board of Trustees on the recommendation of the president.

The Agricultural Experiment Station of the University of Illinois was established in 1888, under the provisions of acts of Congress, “to aid in acquiring and diffusing among the people of the United States useful and practical information in subjects connected with agriculture, and to promote scientific investigation and experiment respecting the principles and applications of agricultural science.”

Section 5.  Cooperative Extension Service in Agriculture and Home Economics

a.  The Cooperative Extension Service in Agriculture and Home Economics shall be administered by a director appointed annually by the Board of Trustees on the recommendation of the president, concurred in by the Secretary of Agriculture.

b.  Under the provisions of the Smith-Lever Act, approved by the President of the United States on May 8, 1914, and of subsequent acts of Congress, and under the provisions of a concurring joint resolution of the Illinois General Assembly, the University is designated the agency in Illinois responsible for cooperative agricultural and home economics extension work.

This work shall consist of the giving of instruction and practical demonstrations in agriculture and home economics to persons not attending the University and of imparting to such persons information on these subjects through field demonstrations, publications, and otherwise. This work shall be carried on in such a manner as may be mutually agreed upon by the Secretary of Agriculture and the University.

ARTICLE VIII.  CHANGES IN ACADEMIC ORGANIZATION

Section 1.  Definitions

a.  Unit.—For the purposes of Article VIII, a unit is a division of the University to which academic appointments can be made and to which resources can be allocated, including departments or similar units, centers, institutes, schools, and colleges.
b. Tenure Home.—For the purposes of Article VIII, a tenure home is an academic unit
(a) whose academic staff includes the group eligible to vote on promotion and tenure decisions
within the unit; and (b) that provides the unit-specific standards that, in compliance with higher-
level standards, apply for promotion and tenure decisions for a member of the academic staff
with the rank or title of professor, associate professor, or assistant professor who is tenured or
receiving probationary credit toward tenure.

Section 2. Appointment of Faculty to Units

A member of the academic staff with the rank or title of professor, associate professor, or
assistant professor who is tenured or receiving probationary credit toward tenure must have a
tenure home that has been approved through the procedures in Article VIII, Section 3a through
3c, below. A faculty member may have a tenure home in more than one academic unit, but must
have a tenure home in at least one academic unit. If any member of a proposed or existing unit’s
academic staff with the rank or title of professor, associate professor, or assistant professor who
is tenured or receiving probationary credit toward tenure does not already have or will not
otherwise have an appointment in one of the following types of units:

i. another department or similar academic unit that has been approved through
these Article VIII procedures;

ii. an intermediate unit that is not divided into departments or similar units and
that has been approved through these Article VIII procedures; or

iii. a school or college that is not an intermediate unit, that is not further divided
into academic departments or similar units and that has been approved
through these Article VIII procedures; —then formation of the proposed unit
as, or conversion of the existing unit into, a unit that will provide a tenure
home must be approved through the procedures in Article VIII, Section 3a
through 3c, below, as applicable.

Any change in academic organization such as the termination, separation,
transfer, merger, change in status (e.g., department to school), or renaming of
an academic unit to which are made appointments of faculty with the rank or
title of professor, associate professor, or assistant professor who are tenured
or receiving probationary credit toward tenure must be approved through the
procedures in Article VIII, Section 4, below.

If all members of a proposed or existing unit’s academic staff with the rank
or title of professor, associate professor, or assistant professor who are
tenured or receiving probationary credit toward tenure do have or will have
an appointment in another unit that is described within items (i) through (iii),
above, then formation or change of organization of the proposed or existing
unit is not required to be approved through the procedures in Article VIII,
Sections 3 and 4, below, but may be approved through the procedure in
Section 5, below.
Section 3. Formation of New Units

a. Departments. The formation of a new department or similar academic unit within a school or college may be proposed by the faculty or executive officer of that school or college. The president shall submit the proposal for the new unit together with the advice of the faculty of the school or college of each higher unit, taken and recorded by a vote of the faculty by secret written ballot in accordance with the bylaws of that unit, of the appropriate senate, taken and recorded by a vote of the senate, of the appropriate chancellor/vice president, and of the University Senates Conference to the Board of Trustees for action.

b. Intermediate Units. An academic unit of intermediate character, such as a school organized within a college, may be proposed by the faculty or the executive officer of the higher unit. The president shall submit the proposal for the intermediate unit together with the advice of the higher unit, taken and recorded by a vote of the faculty by secret written ballot in accordance with the bylaws of that unit, of the appropriate senate, taken and recorded by a vote of the senate, of the appropriate chancellor/vice president, and of the University Senates Conference to the Board of Trustees for action.

c. Colleges and Independently Organized Campus Units. A college or other independently organized campus unit, such as a school, institute, center, or similar campus unit not within a school or college, may be proposed by the appropriate senate or chancellor/vice president. The president shall submit the proposal for the unit together with the advice of the appropriate senate, taken and recorded by a vote of the senate, of the appropriate chancellor/vice president, and of the University Senates Conference to the Board of Trustees for action.

d. Units Organized at the University Level. Units organized at the university level, such as institutes, councils, and divisions, may be formed for the development and operation of teaching, research, extension, and service programs which are statewide or intercampus in their scope and which cannot be developed under a campus administration. Such an organization may be proposed by a senate, a chancellor/vice president, the University Senates Conference, or the president. The president shall submit the proposal for the new organization together with the advice of the appropriate senates, taken and recorded by a vote of each such senate, of the appropriate chancellors/vice presidents, and of the University Senates Conference to the Board of Trustees for action.

e. Campuses. The formation of a new campus may be proposed by the president, by a senate, or by the University Senates Conference. The president shall submit the proposal for the new campus together with the advice of the senates, taken and recorded by a vote of each senate, of the chancellors/vice presidents, and of the University Senates Conference to the Board of Trustees for action. If the proposal is adopted, the University Senates Conference shall serve as an advisory body to the president in developing procedures to implement the action of the board.

Section 4. Changes in Existing Units

From time to time, circumstances will favor changes in academic organization such as the termination, separation, transfer, merger, change in status (e.g., department to school), or
renaming of the academic units specified in Section 1. The procedures for the various changes shall be the same as those specified for formation of such a unit, except that the proposal may originate in the unit(s) or at any higher administrative level. The advice of each unit involved shall be taken and recorded by vote of the faculty by secret written ballot in accordance with the bylaws of that unit. For transfer, merger, separation, and change in status (e.g., department to school), the procedures shall be those applicable to the type of unit which would result. Units affected may communicate with the Board of Trustees in accordance with Article XIII, Section 4, of these Statutes.

Section 5. Academic Units Not Requiring Board of Trustees Approval

Any proposal for creation or change in organization (such as termination, separation, transfer, merger, or change in status) of any unit engaged in academic activities the creation of which does not require Board of Trustees approval shall be referred to the executive committee of the campus senate for its information and advice prior to approval by the appropriate administrator. If the unit is not organized within one campus of the University, the proposal shall be referred to the University Senate rather than to a senate executive committee. Academic staff appointments in such units may not be made to ranks subject to the provisions of Article X, Section 1, governing appointments for an indefinite term as defined in Article IX, Section 3c.

ARTICLE IX. ACADEMIC AND ADMINISTRATIVE STAFFS

Section 1. Criteria for Employment and Promotion

The basic criteria for employment and promotion of all university staff, whether or not subject to the act creating the University Civil Service System of Illinois, shall be appropriate qualifications for and performance of the specified duties. The principles of equal employment opportunity are a part of the general policy of the University. All federal and state laws related to employment and selection, as well as, the University Non-Discrimination Statement, must be followed when selecting candidates for employment and when selecting employees for promotional opportunities. Unless otherwise provided by law, employees are to be selected and treated during employment without regard to political affiliation, relationship by blood or marriage, age, sex, race, creed, national origin, handicap, or status as a disabled veteran or veteran of the Vietnam era.

Section 2. Employment of Relatives

No individual shall initiate or knowingly participate in institutional decisions involving a direct benefit (initial employment, retention, promotion, salary, leave of absence, etc.) to a member of the individual’s immediate family. “Immediate family” includes an individual’s spouse, civil union partner, ancestors and descendants, all descendants of the individual’s
grandparents, and the spouse, or civil union partner, of any of the foregoing. Each chancellor/vice president shall develop for the approval of the president campus procedures to insure against such conflict of interest.

Section (f) makes it a general policy for Board pre-approval of all faculty and administrative appointments before they begin service. Other changes to these sections are from HR.

Section 3. Appointments, Ranks, and Promotions of the Academic and Administrative Staff

a. All appointments, reappointments, and promotions of the academic staff, as defined in Article IX, Section 4a, shall be made by the Board of Trustees on the recommendation of the chancellor/vice president concerned and the president. All appointments, reappointments, and promotions of the administrative staff shall be made by the Board of Trustees on the recommendation of the chancellor/vice president concerned if a campus-level officer is involved and the president.

b. Appointments shall be made solely on the basis of the special fitness of the individual for the work demanded in the position and other university policies and guidelines regarding recruitment, selection and promotion.

c. The following ranks, and only these ranks, of the academic staff as defined in Article IX, Section 4a, are subject to the provisions of Article X, Section 1:—professor, associate professor, and assistant professor.—Modifying terms such as “research,” “adjunct,” “specialized,” “clinical,” and “visiting” may be used in conjunction with these academic ranks (e.g., “research professor,” “adjunct assistant professor,” “clinical associate professor,” “visiting professor”); but no appointment for an indefinite term may be made in which a modifying term is used in the academic rank. Furthermore, an appointment in which a modifier is used in the title will not count toward completion of the probationary period, as provided in Article X, Section 1, unless specially recommended by the executive officer of the unit and approved by the dean and by the chancellor/vice president or an officer authorized to act for the chancellor/vice president.

Other academic ranks recognized within the academic staff are:—(1) lecturer; (2) instructor; (3) teaching associate, research associate, and clinical associate; (4) teaching assistant, research assistant, and clinical assistant.

Appropriate academic rank, with the rights and privileges pertaining thereto, may be accorded members of the administrative staff.—This means that in addition to being members of the administrative staff selected administrative officers may also hold appointments with academic titles chosen from the ranks listed in the two preceding paragraphs.

Special classes of positions within the academic staff may be established to meet specialized professional or technical needs, in accordance with Article IX, Section 4a.

d. Recommendation to positions on the academic staff shall ordinarily originate with the department or in groups not organized as departments with the officers in charge of the work
concerned and shall be presented to the dean of the college for transmission with the dean’s recommendation to the chancellor/vice president. Whenever the appointment or promotion of members of the academic staff is involved, the dean shall consult the chair or the head of the department after confirming that intra-departmental consultation procedures have been satisfied; if the college has no departments, the dean shall consult the executive committee of the college. If the appointment involves a person who may be expected to offer courses carrying graduate credit, the dean of the college shall consult the dean of the Graduate College, who shall have the right to make an independent recommendation to the chancellor/vice president, and to the president.

e. In determining appointments to, and salaries and promotion of the academic staff, special consideration shall be given to the following: (1) teaching ability and performance; (2) research ability and achievement; and (3) ability and performance in continuing education, public service, committee work, and special assignments designed to promote the quality and effectiveness of academic programs and services.

f. Academic appointments requiring direct approval of the Board of Trustees include the President, University officers, deans, academic staff, the CEO of the University hospital, directors of intercollegiate athletics, head coaches for football and basketball. Board approval prior to the beginning date is required for all new administrative and faculty appointments.

Section 4. Principles Governing Employment of Academic and Administrative Staffs

The following principles shall govern the employment of the academic and administrative staffs of the University.

a. The academic staff which conducts the educational program shall consist of the teaching, research, scientific, counseling, and extension staffs; deans and directors of colleges, schools, institutes, and similar campus units; editors, librarians, and such other members of the staff as are designated by the president and the chancellors/vice presidents.

b. The members of the academic and administrative staffs shall be employed and salaries fixed by the Board of Trustees, except that members of the academic staff below the rank of assistant professor may be employed by the campuses. These appointments shall be reported to the board by the president, president of the University who shall report such appointments to the board.

c. Minimum salaries for the various ranks shall be determined each campus and accepted by the Board of Trustees. The minimum for eleven months’ service shall be approximately two-ninths greater than the minimum for the academic year.

d. The terms of employment for all members of the academic and administrative staffs shall be stated explicitly in the contract of employment.
The academic year shall consist of that period of the year so determined by the appropriate senate and approved by the appropriate chancellor/vice president, the president, and the Board of Trustees.

f. For University Administration employees, University Administration may adopt and administer policies and procedures in accordance with federal and state laws and university policies/statutes to apply consistent practices for University Administration employees across the three campuses and satellite offices.

Section 5. Services Rendered the University

a. No person employed on a full-time basis on the instructional or administrative staffs of the University shall be assigned any other university work which does not naturally come within the scope of that person’s duties and for which additional compensation is to be paid without the prior approval of the chancellor/vice president.

b. No person employed by the University shall have any interests incompatible with that person’s obligations to the University, unless those activities/interests are guided by other applicable University/Campus policies.

c. Full-time employees shall not receive compensation for services with the University in excess of a normal schedule except for a reasonable amount of instruction in continuing education and public service programs, or for the grading of special examinations (outside regular course work) stipulated by the University, or other specialized functions, all to be done at a time that does not conflict with other university duties and that are not within their home unit. Exceptions may be made to this rule in special cases which are approved by the dean or appropriate administrator of the college of which the employee is a member provided that if such additional payments exceed a nominal amount the advance approval of the appropriate administrator or chancellor/vice president shall be secured. These exceptions shall be held to a minimum.

d. The responsibilities to the University of full-time members of the academic staff are fulfilled by the performance appropriate to rank and terms of appointment of teaching, scholarly research, continuing education and public service, and committee work and special assignments. Such staff members may carry on some outside professional or business activities of an income-producing character so long as such activities are compatible and not in conflict with University interests. The head of the department of which the employee is a member should know and approve of these activities outside the University.

Section 6. Severe Sanctions Other Than Dismissal for Cause for Members of the Faculty

a. Severe sanctions other than dismissal for cause may be imposed on a member of the faculty, as defined in Article II, Section 3a(1) of the Statutes, provided that procedures on a campus adopted by the campus-chancellor/campus vice president in consultation with that campus senate are followed. In all cases, the chancellor/vice president or the chancellor/vice
president’s designee shall exercise the duties assigned to the President for academic staff who are members of campus units, and in all cases the process to be followed will be that of the campus on which the unit resides.

b. Campus procedures shall include, at a minimum,

(1) A determination by the provost or equivalent campus officer, in consultation with a committee identified by the senate, that cause exists to initiate proceedings that may result in the imposition of serious sanctions,

(2) Notice to the faculty member of the charges and initiation of the sanction proceedings,

(3) Opportunity for a hearing before an elected committee specified by the senate,

(4) Provision that a recommendation by the elected committee against sanction will be final,

(5) The opportunity for the faculty member to file an appeal with the chancellor/vice president within 20 days following the provost's or equivalent officer’s decision to impose sanctions,

(6) An appeal process encompassing both substantive and procedural objections, and

(7) A process wherein the chancellor/vice president's decision on the merits of an appeal is final.

These campus procedures are the exclusive process for determining whether severe sanctions other than dismissal for cause may be imposed.

c. The campus procedures will be initiated only after discussions are held between the faculty member and appropriate administrative officers looking toward a mutual settlement.

The initiation or pendency of proceedings under this Section 6 shall not be deemed to prevent or delay the University or any other person from pursuing any other remedy available to such person against the faculty member for conduct allegedly violating Section 6d below.

d. Adequate due cause for severe sanctions other than dismissal shall be restricted to actions clearly related to University activities and shall be limited to the following:

(1) Engaging in professional misconduct in the performance of University duties or academic activities,

(2) Neglecting or refusing to perform reasonable assigned academic duties,
(3) Violating senate-approved campus or University regulations or policies related to conduct of academic duties,

(4) Acting outside the appropriate exercise of University responsibilities so as willfully to physically harm, threaten physical harm to, harass or intimidate a visitor or a member of the University community with the effect of interfering with that person’s performance of University duties or academic activities,

(5) Willfully damaging, destroying or misappropriating property owned by the University or any property used in connection with a University function or approved activity, or

(6) Conviction in a court of law for a felony that is clearly related to the performance of University duties or academic activities.

Findings of fact made in prior proceedings under policies established by the president with the advice of the senates and University Senates Conference under procedures described in Article XIII, Section 8 of the Statutes shall be presumed to have been established subject to rebuttal on grounds inter alia of the thoroughness and fairness of the proceeding giving rise to them.

e. When misconduct is determined to have occurred, a severe sanction other than dismissal consists of suspension with or without salary (full or partial) for a period not to exceed one-half of the individual’s normal appointment period. During the suspension period, health and retirement benefits shall be maintained.

Section 7. Sabbatical Leaves and Unpaid Leaves of Absence for Members of the Faculty

a. On the recommendation of the head or chair of a department with the concurrence of the dean of the college or on recommendation of the dean or director of an independent campus unit and subject to approval by the chancellor/vice president, the president, and the Board of Trustees a member of the faculty who has the rank of professor, associate professor, or assistant professor and who has served the University for the periods indicated below on full-time appointment as an assistant professor or in higher rank since the faculty member’s original appointment or since the termination of that faculty member’s last leave on salary is eligible to apply for and may be granted a sabbatical leave of absence with pay for the purpose of study, research, or other pursuit, the object of which is to increase the faculty member’s usefulness to the University. The following options are available:

(1) After completion of eight appointment years of full-time service:

Two semesters at 2/3 salary

Or

One semester at full salary

(2) After completion of six appointment years of full-time service:
Two semesters at $\frac{1}{2}$ salary

Or

One semester at full salary

(3) After completion of three or four appointment years of full-time service, in cases where the interest of the department and the University would clearly be served thereby, and provided that granting of leave does not involve expense to the University in excess of the portion of salary which is released in consequence of taking such leave, the following options are available:

After three years: One semester at $\frac{1}{2}$ salary

After four years: One semester at $\frac{2}{3}$ salary

(4) Faculty on “Y” (11 month) appointments may be granted sabbatical leaves, subject to the other general conditions of this section as follows: After completion of nine years of full-time service, three-fourths of an appointment year at full pay; after completion of eight years of full-time service, one appointment year at two-thirds pay or two-thirds of an appointment year at full pay; after completion of six years of full-time service, one appointment year at half pay or one-half appointment year at full pay; after completion of four years, one-half appointment year at two-thirds pay; after completion of three years, one-half appointment year at half pay or one-fourth appointment year at full pay.

b. In recommending a leave with pay according to any of the options provided above, it shall be understood by all recommending officers concerned that the department in which the applicant is teaching or working undertakes, so far as is practicable, to carry on during the applicant’s absence without increase in the departmental budget such part of the applicant’s work as the interests of the department and of the University require to be continued without interruption during the period of absence.

c. Service credit for leave of absence with pay is not cumulative unless otherwise provided for in special cases. Each person who has been on leave of absence shall on the termination of the leave make a report through the usual official channels of communication to the chancellor/vice president concerning the nature of the studies, research, or other work undertaken during the period of absence.

d. A member of the faculty to whom any such leave of absence has been granted shall agree to return to the University on the expiration of the leave and to remain in its service for at least one year thereafter; and the University, on its part, shall agree to retain the faculty member in its service for the period of one year after the faculty member’s return.

e. Leaves of absence granted in accordance with the foregoing terms and conditions, with the privileges pertaining thereto, are given to members of the faculty primarily for the purpose of enabling them to acquire additional knowledge and competency in their respective fields. No one to whom a leave of absence with pay has been granted shall be permitted while on such leave to accept remunerative employment or engage in professional practice or work for which pecuniary compensation is received. This prohibition, however, shall not be construed to forbid a faculty member while on leave from giving a limited number of lectures or doing a limited amount of work. But, in such cases, the approval of the chancellor/vice president to the
giving of the lectures or the doing of other work shall be required. Nor shall the prohibition be interpreted to forbid the acceptance by a faculty member, while on leave, of a scholarship or fellowship carrying a stipend for the purpose of study, research, or scientific investigation or the acceptance of a grant of money made for such purposes, provided that the acceptance of the grant does not impose on the recipient duties and obligations the performance of which would be incompatible with the pursuit of the general purpose for which leaves of absence are granted.

f. The president shall establish regulations and procedures necessary for the administration of these provisions and is authorized to make appropriate adjustments in the terms of leave with pay to ensure equitable benefits for members of the faculty in exceptional cases where special consideration is warranted.
g. Leaves of absence without pay.—On the recommendation of the head or chair of a department with the concurrence of the dean of the college or on the recommendation of the dean or director of an independent campus unit, a member of the faculty may be granted a leave of absence without pay by the chancellor/vice president for a period of one year or less. Such a leave may be renewed in special circumstances ordinarily for not more than one year. As recommended and agreed upon in advance, time spent on a leave of absence without pay under circumstances which allow for the pursuit of academic activities ordinarily counts toward the probationary period of a faculty member on definite tenure, while time spent on a leave of absence without pay under circumstances which do not allow for the pursuit of academic activities does not ordinarily count toward the probationary period of a faculty member on definite tenure. As recommended and agreed upon in advance, time spent on a leave of absence without pay under circumstances which do not provide service to this University does not ordinarily count in establishing eligibility for a sabbatical leave with pay.

Section 8. Graduate Work of Academic Staff Members

No person shall be admitted to candidacy for an advanced degree in a department or division of the University who holds an appointment as professor, associate professor, or assistant professor in that department or division. Likewise, no person while engaged in graduate study shall be appointed to the rank of assistant professor or higher in the department or division of that graduate study.

A person in or accepting the rank of assistant professor or higher on a campus of the University may continue in or be admitted to advanced degree candidacy in a department or unit other than the person’s appointing department or unit upon the special approval of the executive officer of each department or unit involved and the executive committee of the Graduate College if one exists on the campus.

Rationale: Section (c) is modified to make it consistent with Article II, Section 3(a).

Section 9. Privileges of Retired Members of the Academic Staff

a. A retired staff member who is provided with research assistance shall at the end of each academic year report to the chancellor/vice president, in at least general terms, on the work accomplished during the year. In no case may a research assistant be provided to a retired staff member for a longer period than one year at a time and such assistant may be continued only if the annual report of work shows progress or promise.

b. With the approval of the department head or chair and of the dean of the Graduate College and of the chancellor/vice president, a retired faculty member may offer conferences with graduate students if such retiree had offered similarly related graduate courses before retirement.

c. Retired faculty members may participate in meetings of their college or school faculties, if provided for in the bylaws of the unit, but shall have no vote.
Section 10. Dismissal of Administrative Officers

a. In the exercise of its authority to dismiss or request the resignation of administrative officers (who are not eligible for notice rights) from their administrative positions, the Board of Trustees may take such action in respect to such officer prior to the expiration of the term for which the individual was appointed only after presentation by the board to the officer affected of a statement of the reasons accompanied by the facts in support thereof upon which the proposed action is based, together with notice served by registered mail of the time and place of the hearing thereon which shall be not less than 30 days after the date of notice. A copy of the statement and notice shall be sent by registered mail to each member of the Board of Trustees at least 30 days prior to the hearing.

b. The officer shall have the right to appear at the hearing, with counsel if desired, to comment on the reasons and to present evidence. The board shall not be bound by formal or technical rules of evidence and its decision shall be final.

c. In designating the effective date of dismissal or requested resignation, the board shall give due consideration to the time reasonably required for the adjustment of the officer’s personal affairs.

Note: the following changes are from HR to update current practice.

Section 11. Employment of Academic Professional Staff

a. For University Administration employees, University Administration may adopt and administer policies and procedures in accordance with federal and state laws and university policies/statutes to apply consistent practices for University Administration employees across the three campuses and satellite office.

b. Employment policies applicable to an academic professional employee at the university level shall be those of the campus at which the employee’s principal office is located.

a.b. Notice of nonreappointment to the full-time academic professional staff, as defined in Article II, Section 5, shall be given as follows:

1. Except as provided in 2 and 3 below, written notice of nonreappointment shall be given by the Board of Trustees to academic professional employees in accordance with the following schedule:

<table>
<thead>
<tr>
<th>Length of Full-Time Service to the University (in full appointment years completed)</th>
<th>Minimum Notice of Nonreappointment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 4 years</td>
<td>6 Months</td>
</tr>
<tr>
<td>4 years or over</td>
<td>12 Months</td>
</tr>
</tbody>
</table>
2. Written notice of nonreappointment shall be given by the Board of Trustees to an academic professional employee on an appointment which notes that it is subject to receipt of funds in accordance with the following schedule:

For appointments made “subject to receipt of funds” (such as those from grants or contracts), the University reserves the right to terminate the appointment prior to the Period of Payment End Date if the grant(s) or other sources of funding for the position has ended. For such appointments, the University reserves the right to terminate the appointment prior to the Period of Payment End date if the grant or source of funds for the position becomes unavailable, and will provide prior notice, if applicable, in accordance with the notice periods set forth in Article IX of the University of Illinois Statutes.

For an academic professional employee who is entitled to notice of non-reappointment and whose position is supported by multiple sources of funds, calculation of minimum length of notice of non-reappointment will be based on the relevant funds for the portion of the appointment for which a notice of non-reappointment is issued, or on the predominant source of funds in the case of elimination of the position:

<table>
<thead>
<tr>
<th>Length of Full-Time Service to the University (in full appointment years completed)</th>
<th>Minimum Notice of Nonreappointment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 4 years</td>
<td>2 Months</td>
</tr>
<tr>
<td>4 years or over</td>
<td>6 Months</td>
</tr>
<tr>
<td>Plus 1 additional month for each additional full appointment years of service to a maximum of 12 months’ notice</td>
<td></td>
</tr>
<tr>
<td>10 years</td>
<td>12 Months</td>
</tr>
</tbody>
</table>

3. Written notice of nonreappointment shall be given by the Board of Trustees to an academic professional employee who is the director of intercollegiate athletics or a coach of an intercollegiate athletic team in accordance with the following schedule:

<table>
<thead>
<tr>
<th>Length of Full-Time Service to the University (in full appointment years completed)</th>
<th>Minimum Notice of Nonreappointment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 4 years</td>
<td>3 Months</td>
</tr>
<tr>
<td>4 years or over</td>
<td>6 Months</td>
</tr>
</tbody>
</table>
4. In cases where the time remaining in the appointment year is less than the
required minimum notice period, the notice of nonreappointment shall be accompanied by
an offer from the Board of Trustees of a terminal contract for an additional appointment
which will extend the current appointment through the period of minimum notice, viz., 2
months, 6 months or 7-12 months.

5. Computation of length of service will be on the basis of continuous
employment in campus academic administrative and professional positions (or similar
service at the University level for employees of the university administration).—On a case-
by-case basis, credit may be given for all or part of their relevant experience in other
University of Illinois position.

6. Excepted from the above provisions are the following administrative
officers:—the President of the University; chancellors/vice presidents, other vice presidents,
provosts or equivalent officers, and vice chancellors; the officers of the Board of Trustees
who are University employees; other university officers; and the deans, directors, heads,
and chairs of academic units.—Academic professional staff whose title includes “visiting,”
“acting,” “interim,” or “adjunct” are also excepted from the above provisions.

Section 12. Dismissal of Academic Staff with Multi-Year Appointments
Under Article X, Section 1(a), Paragraphs (6) and (7)

a. Members of the academic staff with multi-year appointments, as defined under
Article X, Section 1(a), Paragraphs (6) and (7), of the Statutes, may be dismissed for cause prior
to the conclusion of the multi-year appointment in accordance with campus procedures, which
shall be adopted by each chancellor/vice president in consultation with the applicable campus
senate.—In all cases, the chancellor/vice president or the chancellor/vice president's designee
shall exercise the duties assigned to the president for academic staff who are members of campus
units, and in all cases the process to be followed will be that of the campus on which the unit
resides.

b. Campus procedures shall include, at a minimum, notice and opportunity for a
hearing before the campus provost or equivalent officers or the provost's or equivalent officer’s
designee.

c. Adequate cause for dismissal shall be limited to the following:

(1) Failing to perform contractual duties or related activities in a professional
manner, whether from incompetence, neglect or willful refusal;
Failing to follow all applicable campus or University regulations or policies, and all applicable laws related to the conduct of contractual duties;

Acting outside the appropriate exercise of University responsibilities so as to willfully cause or threaten to cause physical harm to, harass or intimidate a visitor or a member of the University community;

Willfully or negligently damaging, destroying or misappropriating property owned by the University or any property used in connection with a University function or approved activity; or

Being convicted of or pleading guilty to a felony.

ARTICLE X. ACADEMIC FREEDOM AND TENURE

Section 1. Tenure of Academic Staff

a. Except under unusual circumstances evidenced by a special written agreement approved by the President of the University and the appointee, the tenure status for the academic ranks of professor, associate professor, and assistant professor shall be as provided in this section. The parts of Article X, Sections 1a and 1b, hereof relating to the probationary period or indefinite tenure do not apply to academic ranks other than those mentioned in the preceding sentence; nor to appointments at any rank which involve no salary or obligation to render services; nor to appointments for fifty percent (50%) or less of full-time service at ranks other than professor or associate professor; nor to appointments for less than seventy-five percent (75%) of full-time service during any period when the appointee is a candidate for a degree at this University.

In the case of academic staff positions authorized in Article IX, Sections 3c and 4a other than appointments at the rank of professor, associate professor, assistant professor, dean, director, department head, and department chair, appointments shall be for not longer than the terms specified in this Section. Contracts shall be renewable at the discretion of the hiring unit. Except as provided in Sections 7 and 8, below, notice of nonreappointment is not required. Dismissal prior to the end of the contract term shall be governed by Article IX, Section 12.

Each chancellor/vice president shall, with the advice and consent of the local campus senate, develop implementing procedures for multi-year contract appointments governed by this Section. Such implementing procedures shall include, at a minimum, (i) a binding ceiling, on a campus-wide basis, on the proportion of multi-year contract appointments to the sum of multi-year contract appointments and appointments that are tenured or earning probationary credit toward tenure; (ii) assignment of oversight responsibility to an appropriate campus senate committee; and (iii) the procedures for dismissal required under Article IX, Section 12(b), above.

(1) An appointment as professor or associate professor shall be for an indefinite term except that first appointments or temporary appointments may be made for shorter periods. An appointment at either of these ranks for fifty percent (50%) or less of full-time service shall
be for an indefinite term at the specified percentage except that such first appointments or temporary appointments may be for definite terms.

(2) During the probationary period defined in Article X, Section 1b (1), an appointment as assistant professor shall be for not more than two years.

(3) An appointment for an indefinite term may require full-time service or some percentage of full-time service by the appointee. – Completion of a probationary period shall entitle the appointee to indefinite tenure status at the lowest percentage (more than 50%) of full-time service counted toward completion of the probationary period. – An appointee for an indefinite term and the Board of Trustees may at any time agree in writing to increase or to decrease the percentage of full-time service to be required of the appointee and the indefinite tenure status shall then apply to the new percentage of full-time service. – An agreement that a full-time appointee for an indefinite term shall thereafter serve on a part-time basis shall specify either (a) that the appointment for an indefinite term will thereafter relate solely to service on the agreed part-time basis; or (b) that the appointee will return to full-time service for an indefinite term on a specified date.

These agreements are subject to modification by written consent of the appointee and the Board of Trustees. – An appointee who has previously been on indefinite tenure status at this University shall not be required to serve a probationary period in order to regain that status.

This subsection, 1a (3), does not apply to sabbatical leaves of absence or to leaves of absence without pay.

(4) An academic staff appointment with the rank of clinical assistant, research assistant, or teaching assistant shall be for not longer than one year and notice of nonreappointment is not required. – Appointments at these ranks may be conditional upon the availability of funds if so specified in the notice of appointment.

(5) An appointment which includes in the title the term “visiting,” as authorized in the first paragraph of Article IX, Section 3c, shall be for not longer than one year.

(6) An appointment which includes in the title the term “adjunct,” or “clinical,” modifying the term “professor”, “associate professor” or “assistant professor,” as authorized in the first paragraph of Article IX, Section 3c, or an appointment with the rank of lecturer or instructor shall be for not longer than three years.

(7) An appointment with the rank of teaching associate, research associate, clinical associate, or which includes in the title the term “research” modifying the term “professor”, “associate professor” or “assistant professor,” as authorized in the first paragraph of Article IX, Section 3c, shall be for not longer than three years. – The duration of the appointment shall be specified in the Notification of Appointment. – Where no duration is specified, appointment shall be for one year. – Written notice of nonreappointment is required in the case of full-time appointments at these ranks other than appointments that are for no more than one year, nonsalaried, part-time, or conditional upon the receipt of nonappropriated funds (as specified in the notice of appointment). – The notice need not be accompanied by an offer of a terminal contract if the notice is given not later than six months before the end of an annual appointment or by March 1 in the case of an academic-year appointment. – If notice of nonreappointment in
such cases is given later than six months before the end of an annual appointment or after March 1 in the case of an academic-year appointment, it shall be accompanied by an offer from the Board of Trustees of a terminal contract for one additional year of service. In the case of multi-year contracts, notice, as described above, is required only in the final year of the contract. If no notice is given before the end of an appointment that exceeded one year, the renewal appointment shall have a duration of one year.

(8) An appointment at the rank of any of the other special classes of academic staff authorized under Article IX, Sections 3c and 4a, shall be for not longer than one year and shall be governed by the conditions prescribed in the preceding subparagraph, 1a.

b. Upon the completion of a probationary period as hereafter defined, any reappointment shall be for an indefinite term, subject to the following:

(1) An appointee receiving a first contract for more than fifty percent (50%) of full-time service at this University as assistant professor enters a probationary period not to exceed seven academic years of service except when, by special written agreement between the appointee, the unit administrator and the chancellor/vice president, the appointee is granted a one-year interruption of the probationary period before the year in which a decision on the appointment to indefinite tenure is expected to be made. Ordinarily no more than two such interruptions will be granted. Prior academic service at other academic (or equivalent) institutions may be counted up to a maximum of three years toward the fulfillment of the probationary period. The amount of any such service counted may be negotiated as may other terms of the appointment and shall be stated in the first appointment contract, as provided for all contracts for definite terms in subparagraph 1b(5) below. An initial appointment that begins after the eighth week of the academic year ordinarily does not count toward the probationary period of a faculty member on definite tenure nor does it ordinarily count as service in establishing eligibility for a sabbatical leave with pay, unless recommended and agreed upon in advance.

(2) No appointment at the rank of assistant professor shall be for an indefinite term.

(3) An appointee for a definite term shall be given in the sixth year of the probationary period either written notice offering appointment for an indefinite term or written notice of nonreappointment no later than August 15 at all three campuses.

(4) At any time except during the last year of the probationary period, an assistant professor on a definite-term appointment may be given written notice of nonreappointment. Except in the case of an assistant professor who is in the first year of academic service at this University, (a) written notice of nonreappointment shall be given not less than twelve months before the expiration of the appointment; or (b) if given less than twelve months before the expiration of the appointment, written notice of nonreappointment shall be accompanied by an offer from the Board of Trustees of a terminal contract for one additional year of service. In the case of an assistant professor on a definite-term appointment who is in the first year of academic service at this University, written notice of nonreappointment shall be given not later than March 1 and need not be accompanied by an offer of a terminal contract; if written notice of nonreappointment is given after March 1, it shall be accompanied by an offer from the Board of Trustees of a terminal contract for one additional year of service.
The total amount of service counted toward completion of the probationary period, including both service at other institutions and prior service at this University, shall be stated in every contract for academic service for a definite term. In the event that an appointee for a definite term is not given notice of appointment for an indefinite term or notice of nonreappointment as required by subparagraph 1b (3) above, but instead is given notice of reappointment for a definite term beginning after or extending beyond the expiration of the probationary period, such reappointment shall be for a term extending to the end of the academic year following the academic year in which either (a) the Board of Trustees gives the appointee written notice of nonreappointment as specified above in subparagraph 1b(4), or (b) the appointee gives written notice to the dean or department head that the appointee is about to complete or has completed the probationary period and either is or will be entitled to have any reappointment be for an indefinite term.

An appointment for a definite term does not carry any guarantee or implication that the Board of Trustees will renew the appointment even though the duties of the appointee may have been discharged satisfactorily. An appointment for a definite term, if accepted, must be accepted with this stipulation.

c. Tenure may be terminated by (1) honorable retirement; (2) acceptance of resignation; (3) dismissal for due cause.

d. Due cause for dismissal shall be deemed to exist only if (1) a faculty member has been grossly neglectful of or grossly inefficient in the performance of the faculty member’s university duties and functions; or (2) with all due regard for the freedoms and protections provided for in Article X, Section 2, of these Statutes, a faculty member’s performance of university duties and functions or extramural conduct is found to demonstrate clearly and convincingly that the faculty member can no longer be relied upon to perform those university duties and functions in a manner consonant with professional standards of competence and responsibility; or (3) a faculty member has while employed by the University illegally advocated the overthrow of our constitutional form of government by force or violence.

e. Proceedings seeking the dismissal before the expiration of the term of appointment of an appointee to the academic staff who is on definite tenure or of an appointee to the academic staff who is on indefinite tenure shall comply with the procedures described in the following provisions of this section:

1. Charges. Charges looking to dismissal shall be preferred by statement in writing by the president or the president’s designee and shall be filed with the clerk or secretary of the senate within thirty days after the consultation with the Faculty Advisory Committee. The statement shall be sufficiently specific reasonably to inform the appointee of the nature of the charges and enable the appointee to present a defense to them.

2. Service. The clerk or secretary of the senate shall cause a copy of the statement of the charges and a copy of Article X, Sections 1 and 2, of the Statutes to be delivered to the appointee personally or mailed to the appointee’s last known post office address by
registered mail within five days after they have been filed with the clerk or secretary of the senate.

(3) Request for Hearing. Within fifteen days after such service of a copy of the statement of charges, the appointee may file with the clerk or secretary of the senate a request for a hearing before the Committee on Academic Freedom and Tenure of the appropriate campus; and within ten days after filing such request, the appointee shall file with the clerk or secretary of the senate a detailed written answer to the statement of grounds for dismissal. The clerk or secretary of the senate shall promptly transmit the statement of charges, the answer thereto, and the request for a hearing to the chair of the Committee on Academic Freedom and Tenure and copies of the answer and request for a hearing to the president.

(4) Notice of Hearing. Notice of the time and place of the hearing before the Committee on Academic Freedom and Tenure, which hearing shall be not less than twenty days after the filing of the appointee’s request, shall be delivered on the same date to the appointee and the president, either personally or by registered mail. The date of the hearing shall be not less than fifteen days from the date of such delivery or of such mailing of the notice of hearing.

(5) Hearing. At the time and place fixed, the Committee on Academic Freedom and Tenure shall hold a closed hearing on the charges. No member of that committee shall sit in a case that involves a colleague of that committee member’s department, school, institute, or division, whichever represents the smallest administrative unit, nor shall a member sit in a case if the member has previously acted on another committee while it considered the pending matter. A majority of the members of the committee shall constitute a quorum for the conduct of the hearing and the chair of the committee may appoint another member of the committee to preside over the hearing. If vacancies occur, as many members as are necessary to constitute a quorum shall be appointed in accordance with the bylaws of the appropriate senate. Except as hereinafter provided, the hearing shall be conducted according to such rules as the committee may from time to time establish. The committee shall not be bound by technical rules of evidence, but all findings, conclusions, and recommendations of the committee shall be supported by and be in accord with substantial evidence. The appointee shall be entitled to be present at all sessions of the committee when evidence is being received and to be accompanied by an adviser of the appointee’s choice who may act as counsel. Likewise, the president or the president’s designee, together with counsel if the president desires counsel, shall be entitled to be present at all sessions of the committee when evidence is being received. Each party shall have the right within reasonable limits to question witnesses and, when all the evidence has been received, to make an argument in support of its position, either in person or by counsel. A full stenographic transcript shall be made of the hearing unless both parties agree to the making of a record in a briefer form.

(6) Findings, Conclusions, and Recommendations. Following the conclusion of the hearing, the committee shall promptly make its explicit findings of fact on each charge, its conclusions, and its recommendations. Reasonable opportunity shall be given to each party to file a written statement setting forth objections to these findings, conclusions, and recommendations and setting forth the grounds for such objections. A copy of one party’s objections shall be given to the other party. The originals of the findings, conclusions, and recommendations, and of the hearing transcript shall be forwarded by the committee to the president and copies shall be promptly transmitted by the committee to the appointee.
If ultimately the appointee requests a hearing before the Board of Trustees, the originals or copies of the statement of charges filed by the president or the president’s designee with the clerk or secretary of the senate, the request for a hearing, the answer to the statement of charges, the notice of the time and place of hearing, the transcript or briefer record of the hearing, any exhibits received in evidence, the findings, conclusions, and recommendations of the committee, and any objections to such findings, conclusions, and recommendations shall constitute the record before the Committee on Academic Freedom and Tenure to be submitted to the board. The record shall be available to the Board of Trustees, to counsel for the appointee, and to counsel for the University, but shall not be available to other persons prior to the hearing before the board. If the committee recommends that charges be dropped and the president concur, the case shall be considered closed.

(7) **Hearing by Board of Trustees.** Within thirty days after transmittal of the findings, conclusions, and recommendations of the Committee on Academic Freedom and Tenure, or if the appointee filed no request for a hearing before that committee within fifteen days after the expiration of the period specified in subparagraph 1e(3) for the filing of such a request, the president may cause the charges to be filed with the Secretary of the Board of Trustees along with the findings, conclusions, and recommendations, if any, of the Committee on Academic Freedom and Tenure and the record of the hearing before the committee, if one was held. Notice of such filing of charges shall be delivered to the appointee personally or shall be mailed to the appointee by the Secretary of the Board of Trustees by registered mail within five days after such filing. Within ten days after such delivery or mailing of notice of the filing of the charges with the Secretary of the Board of Trustees, the appointee may file with the Secretary of the board a written request for a hearing before the Board of Trustees. Notice of the time and place of the hearing which hearing shall be not less than twenty days after the date of the filing of the appointee’s request shall be delivered to the appointee personally or mailed to the appointee by registered mail. The date of the hearing shall be not less than fifteen days from the date of such delivery or mailing of the notice of hearing to the appointee. The appointee shall have the right to appear at the hearing, with counsel if desired, to reply to the charges and to present evidence. Counsel for the University shall represent the university administration at the hearing and shall have the right to present evidence in support of the charges. The board shall not be bound by technical rules of evidence in hearing and deciding the case.

The board will give due consideration to the findings, conclusions, and recommendations of the Committee on Academic Freedom and Tenure, and the remainder of the record relevant to the charges before said committee, and in all cases where a report was made by the committee will invite a member of the committee designated by its chair to attend the hearing and make a statement before the board.

If the board concludes that the appointee should be dismissed or asked to resign, the effective date of such dismissal or resignation shall not be less than one year from the date of the board’s decision unless the board, in its discretion, determines that an earlier effective date is justified by the gravity of the appointee’s conduct in question.

(8) **Reassignment of Duties.** Under exceptional circumstances and when such action is clearly necessary and justified, the president may direct that a faculty member be relieved of some or all of the faculty member’s university duties and functions and reassigned to others without prejudice and without loss of compensation pending the final decision of the case, subject to the following provisions: (a) the president may reassign duties before the filing of
any charges only after giving notice to the chair or in the absence of the chair from the
University to some member of the Faculty Advisory Committee that the president believes that
cause for dismissal may exist; (b) if the president reassigns duties after so giving notice to the
chair or some member of the Faculty Advisory Committee, such reassignment shall terminate
within thirty days after that committee has made its recommendations to the president unless the
president initiates dismissal proceedings by the filing of charges for dismissal within that thirty-
day period; and (c) if the president initiates dismissal proceedings by filing charges for dismissal,
the president may reassign duties or extend a previous reassignment of duties until the
termination of those proceedings or until the effective day of dismissal if the proceedings should result in dismissal.

(9) Publicity. – So far as possible public statements about a case under consideration should be avoided until completion of the proceedings.

Section 2. Academic Freedom

a. It is the policy of the University to maintain and encourage full freedom within the
law of inquiry, discourse, teaching, research, and publication and to protect any member of the
academic staff against influences, from within or without the University, which would restrict
the member’s exercise of these freedoms in the member’s area of scholarly interest. – The right to
the protection of the University shall not, however, include any right to the services of the
university counsel or the counsel’s assistants in any governmental or judicial proceedings in
which the academic freedom of the staff member may be in issue.

b. As a citizen, a faculty member may exercise the same freedoms as other citizens
without institutional censorship or discipline. – A faculty member should be mindful, however,
that accuracy, forthrightness, and dignity befit association with the University and a person of
learning and that the public may judge that person’s profession and the University by the
individual’s conduct and utterances.

c. If, in the president’s judgment, a faculty member exercises freedom of expression
as a citizen and fails to heed the admonitions of Article X, Section 2b, the president may publicly
disassociate the Board of Trustees and the University from and express their disapproval of such
objectionable expressions.

d. A staff member who believes that he or she does not enjoy the academic freedom
which it is the policy of the University to maintain and encourage shall be entitled to a hearing
on written request before the Committee on Academic Freedom and Tenure of the appropriate
campus senate. – Such hearing shall be conducted in accordance with established rules of
procedure. – The committee shall make findings of facts and recommendations to the president
and, at its discretion, may make an appropriate report to the senate. – The several committees
may from time to time establish their own rules of procedure.

ARTICLE XI. STUDENT AFFAIRS AND DISCIPLINE
Section 1. Student Affairs

a. The senates shall be responsible for the development of appropriate recommendations regarding policies on student affairs at their respective campuses. Each senate shall ensure the opportunity for substantial student involvement in the development of these recommendations.

b. Upon recommendation of the chancellor/vice president and with the concurrence of the president, the Board of Trustees may appoint annually a vice chancellor or other officer who shall have general supervision over those services provided on that campus to assist students in their personal and social development. The responsibility and authority of this officer shall be determined by the chancellor/vice president. On the occasion of each appointment of any such officer, the chancellor/vice president shall seek the advice of the executive committee of the campus senate. The executive committee shall ensure the opportunity for substantial student involvement in the development of its advice.

c. Under the general supervision of the officer provided for in Section 1b above, the Graduate College, the College of Law, the College of Veterinary Medicine, the College of Medicine, and other colleges comprising post-baccalaureate students shall be responsible respectively for the supervision of student affairs excluding discipline in those colleges.

Section 2. Student Discipline

a. Each senate shall establish a committee or other body concerned with student discipline. This body may appoint one or more subcommittees on which unless the senate determines otherwise there shall be voting student representatives. These subcommittees shall have original jurisdiction to hear and render decisions in all disciplinary cases unless the body determines to exercise original jurisdiction. The decision of a subcommittee not appealed to the body shall be final. The body shall hear and take action for the senate in cases in which it exercises original jurisdiction and in cases appealed to it from its subcommittees. The body shall formulate and adopt after consultation with the legal counsel disciplinary and hearing procedures which shall be followed in all undergraduate student disciplinary proceedings. In hearing and deciding any appeal, this body may conduct a hearing de novo or may act solely upon the record in the case before the subcommittee as the body, in its discretion, may determine.

b. Discipline for students enrolled in graduate and graduate-professional colleges shall be administered by this body which, after consulting the dean of the college concerned, shall appoint a subcommittee on discipline for the students enrolled in that college. These subcommittees are to act in accordance with the provisions of Article XI, Section 2a.

c. In disciplinary proceedings stemming from group infractions involving more than one category of student (undergraduate, graduate, professional), the hearing and review bodies as well as the procedures employed shall be common to all categories of students involved.
ARTICLE XII. RESEARCH AND PUBLICATION

Rationale: This revision maintains the provision for ample consultation, but leaves the number of members to the campus.

Section 1. Campus Research Board

Each campus shall maintain a Campus Research Board, whose functions shall include: (1) making recommendations concerning policies for distribution of research board funds; (2) making assignments of research board funds to individual and group research projects; (3) advising the chancellor/vice president and the vice chancellor responsible for research on any other matters submitted to the board. The members of the Campus Research Board shall be appointed by the chancellor/vice-president after consultation with the vice chancellor responsible for research, the executive committee of that campus’s senate, and, on campuses with graduate colleges, the dean of the graduate college.

—— a. The Campus Research Board shall consist of eight to twelve members appointed by the chancellor/vice president after consultation with the vice chancellor responsible for research, the dean of the graduate college, and with the leadership of that campus’s senate. The vice chancellor responsible for research shall chair the committee. The appointment process to and membership on the Campus Research Board may differ in campuses without a graduate college.

—— b. The functions of the board include: (1) making recommendations concerning policies for distribution of research board funds; (2) making assignments of research board funds to individual and group research projects; (3) advising the chancellor/vice president and the vice chancellor responsible for research on any other matters submitted to the board.

Section 2. Sponsored Research, Gifts, and Grants

a. It is the policy of the University to encourage research on the part of all persons and groups within the several faculties. Such encouragement includes the endorsement and support of acceptable proposals for outside contracts or grants by sponsoring external agencies and groups.

b. Such outside support must be integrated with the regular educational and research functions of the University. The acceptance of contracts or grants involves substantial indirect costs, physical plant operating costs, and the use of departmental, college, and general university facilities. Funds to meet these indirect costs must be provided either by the sponsors, special arrangement, or by tax funds. In the latter case, because such activities come into direct competition for funds with other interests within the University, careful consideration shall be given the acceptance of such contracts.

Section 3. Patents on Inventions
The results of research or development carried on at the University by any of its faculty, employees, students, or other users of its facilities and having the expenses thereof paid from university funds or from funds under the control of the University, belong to the University and are to be used and controlled in ways to produce the greatest benefit to the University and to the public.

An inventor whose discovery or invention is subject to the conditions of the previous paragraph is required to disclose the discovery or invention to the University and may be required to patent the discovery or invention and to assign the patent to the University, the expenses connected therewith to be borne by the University.

This section shall not apply to questions of ownership of inventions made by members of the staff outside of their regular duties and without the use of university funds or funds under the control of the University and without the use of university facilities.

Section 4. Scientific and Scholarly Publications and Creative Work

It is the policy of the University to foster the publication of scientific and scholarly periodicals which are edited, published, and subsidized by the University. Authors and artists who are members of the academic ranks recognized in Article IX, Section 3, may copyright their works except works specifically commissioned by the University in writing and works prepared under terms of a university grant or contract which provides otherwise. The General Rules Concerning University Organization and Procedure shall contain rules and regulations regarding intellectual property.

Section 5. Rules about Research, Patents, and Publications

The General Rules Concerning University Organization and Procedure shall contain rules and regulations governing patents, copyrightable works, recordings, sponsored periodicals, and the acceptance of contracts, gifts, and grants for research, and the procedures to be followed.

Proposed changes in The General Rules related to patents, copyrightable works, or recordings shall be sent to the University Senates Conference which shall move as expeditiously as practicable and, if necessary, reconcile the views of the senates and advise the president and through the president the Board of Trustees before such a rule change is adopted.

ARTICLE XIII. GENERAL PROVISIONS

Section 1. Exchange Professors
On the recommendation of the head or the chair of a department and with the approval of
the dean, the chancellor/vice president, the president, and the Board of Trustees, a professor,
associate professor, or assistant professor may be permitted for a period of not more than one
year to exchange positions with a professor of approximately equal rank in another university
provided the arrangement does not involve substantial increase in the cost of instruction. The
professor with whom the exchange is made shall during the period of service to this University
be subject to the rules governing appointments and conditions of service applicable to regular
members of the faculty.

Section 2. Privileges for Scholars from Other Universities

The chancellors/vice presidents of the University may extend the privilege of working
without charge in the various laboratories or libraries of the respective campus to members of the
faculties of other colleges or universities, provided that they are recognized as authorities in their
respective fields and come to the campus with written credentials from the faculties of their
institutions or from their governments asking that they be received as guests.

Section 3. Annual Reports

On or before the first day of September in each year, each dean and director and the chief
executive officer of each department or equivalent unit on each campus shall make to the
chancellor/vice president an annual report, treating fully the work of the college, school,
institute, division, or department. Any of these officers may make reports or advance
suggestions at any time and shall report to the chancellor/vice president and to the president
whenever requested to do so. Officers of the university-level administration and
chancellors/vice presidents shall make such reports as the president shall require.

Section 4. Reports and Communications

a. Members of the academic staff have the obligation to respond to requests for
information from the Board of Trustees and from administrators to whom they have
responsibilities. Ordinarily, intermediary administrators should be made aware of these
requests. Unless the requestor has directed otherwise, a written response shall be transmitted
through and by the intermediary administrators so that they may be properly informed and may
comment. If the response contains recommendations, the staff member shall be informed of all
comments with respect thereto and may append additional comments to the recommendations.

b. Academic staff may initiate direct communication with any member of the
administration. Ordinarily, intermediary administrators shall be kept informed about such
communications so that they may be properly informed and may comment. Whenever
appropriate, the academic staff member shall be informed of all comments and may respond to
them.

c. Proposals which originate from academic units, as enumerated in Article VIII, shall
be promptly considered and transmitted to the final authority through and by appropriate
intermediaries. Academic units affected by the proposal shall be kept informed of comments, revisions, and recommendations by intermediary authorities so that they may respond to them.

d. All communications from members of the staff to be presented as part of the agenda at a meeting of the Board of Trustees or transmitted to the Board of Trustees or any committee thereof shall first be presented to the chancellor/vice president where appropriate and to the president for their examination, comment, and recommendation. Whenever appropriate, the staff member shall be informed of all such reactions and may respond to them.

Section 5. Rules of Procedure

Unless otherwise specified by a deliberative body of the University, the latest revision of Robert’s Rules of Order shall govern.

Section 6. Recommendations of Committees and Councils

Whenever these Statutes provide for the advice or recommendations of a committee or council as a basis for or aid to officer or agency decision, the advice or recommendation shall be secured only through a meeting of the committee or council duly convened in group session.

Section 7. Reservation of Powers

The Board of Trustees is charged by law with full responsibility for administering the University. Although the board may properly delegate authority to its duly designated officers and agencies, as indeed it has done since the establishment of the University in practical recognition of its own limitations to determine and resolve, in the first instance, complex and continuing problems of internal organization and educational policy, it cannot divest itself of the ultimate responsibility, imposed upon it by law, of governance of the University. Accordingly, the board expressly reserves to itself the power to act on its own initiative in all matters affecting the University, notwithstanding that such action may be in conflict or may not be in conformance with the provisions of these Statutes. However, the board will not so act upon its own initiative in any case in which senate participation and recommendation is provided for by these Statutes until it has first sought the advice and recommendation of the appropriate senate, or senates, the University Senates Conference and the president.

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