

UNIVERSITY OF ILLINOIS
URBANA-CHAMPAIGN SENATE

Committee on University Statutes and Senate Procedures
(Final; Action)

SP.15.18 General Revisions to the *Statutes*, Final Reconciliation, Motions #1 through #8

BACKGROUND

As per standard practice for the revisions of the *Statutes*, after each of the Senates has acted on a proposed amendment, the University Senates Conference (USC) reviews the action of each Senate to determine if there are differences in how one or more Senates dealt with the text. With the set of amendments that have been under consideration by the Senates since October, the Chicago and Springfield Senates approved the proposed texts with relatively little variation, whereas the Urbana Senate found a number of instances for which it recommended alternate phrasings or provisions. When USC reviewed the resultant differing advice of the three Senates, it prepared a reconciled text. In most cases that reconciled text corresponded with what the Urbana Senate had approved. However, for several items, USC has provided reconciled language that differs from what the Urbana Senate had approved.

Some years ago, the Urbana Senate made a clear statement that any USC reconciliations of statutory language that varied from the language approved by this Senate must come back to the Senate for final passage. Accordingly, USSP has reviewed all of these variations and prepared the following guide to the changes, and its recommendations.

To facilitate the Senate's present consideration, USSP has provided the relevant text for each original recommendation of the Urbana Senate before the text suggested by USC in its work to reconcile advice from the three campuses. Those elements where the reconciled text varies from this Senate's original recommendation are marked by yellow highlighting.

1 **ITEM ONE**

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3 **October 24, 2014 version as modified and approved by UIUC Senate on December 8, 2014:**

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NONDISCRIMINATION STATEMENT

6

The commitment of the University of Illinois to the most fundamental principles of academic freedom, equality of opportunity, and human dignity requires that decisions involving students and employees be based on merit and be free from invidious discrimination in all its forms.

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The University of Illinois will not engage in discrimination or harassment against any person because of political affiliation, race, color, religion, sex, national origin, ancestry, age, marital status, genetic information, disability, sexual orientation including gender identity, unfavorable discharge from the military or status as a protected veteran and will comply with all federal and state nondiscrimination, equal opportunity and affirmative action laws, orders and regulations. This nondiscrimination policy applies to admissions, employment, access to and treatment in University programs and activities.

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University complaint and grievance procedures provide employees and students with the means for the resolution of complaints that allege a violation of this Statement. Members of the public should direct their inquiries or complaints to the appropriate equal opportunity office.

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19 **February 25, 2015 version showing changes recommended by USC to reconcile text:**

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21 **NONDISCRIMINATION STATEMENT**

22 The commitment of the University of Illinois to the most fundamental principles of academic freedom,
23 equality of opportunity, and human dignity requires that decisions involving students and employees be
24 based on merit and be free from invidious discrimination in all its forms.

25 The University of Illinois will not engage in discrimination or harassment against any person because of
26 race, color, religion, sex, national origin, ancestry, age, marital status, genetic information, political
27 affiliation, disability, sexual orientation including gender identity, unfavorable discharge from the
28 military or status as a protected veteran and will comply with all federal and state nondiscrimination,
29 equal opportunity and affirmative action laws, orders and regulations. This nondiscrimination policy
30 applies to admissions, employment, access to and treatment in University programs and activities.

31 University complaint and grievance procedures provide employees and students with the means for the
32 resolution of complaints that allege a violation of this Statement. Members of the public should direct
33 their inquiries or complaints to the appropriate equal opportunity office.

34

35 **USSP Comment and Recommendation:** These differ only in the placement of the phrase “political
36 affiliation”. USSP recommends approval of the reconciled text.

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38 **ITEM TWO**

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40 **ARTICLE II. LEGISLATIVE ORGANIZATION**

41 **Section 1. Campus Senates**

42

43 **October 24, 2014 version as modified and approved by UIUC Senate:**

44

45 **a.** A senate shall be constituted at each campus of the University. The senate is the elected
46 representative of the faculty, students, and academic professional staff in shared governance discussions
47 across the full range of university concerns. It is the authorized partner to engage administration in
48 planning, in policy, in implementation, and in collaborative problem-solving on matters pertinent to the
49 well-being of the campus and its members. The basic structure of a senate, including its composition,
50 shall be provided for in its constitution. The constitution and any amendments thereto shall take effect
51 upon adoption by the senate concerned and approval thereof by the Board of Trustees.

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53 **February 25, 2015 version showing changes recommended by USC to reconcile text:**

54

55 a) A senate shall be constituted at each campus of the University. The senate is the **sole** elected
56 representative of legislative assembly representing the **faculty, students, academic professionals, and**
57 other staff deemed eligible by the campus in shared governance discussions across the full range of
58 university concerns. It is the authorized partner to engage administration in planning, in policy, in
59 implementation, and in collaborative problem-solving on matters pertinent to the well-being of the
60 campus and its members. The basic structure of a senate, including its composition, shall be provided
61 for in its constitution. The constitution and any amendments thereto shall take effect upon adoption by
62 the senate concerned and approval thereof by the Board of Trustees.

63

64 **USSP Comment and Recommendation:** USSP objects to the addition of the word “sole”. It would
65 seem to preclude other elected bodies, such as a student senate or the professional advisory committee,
66 from participation in shared governance. USSP recommends against approval of the insertion of “sole”
67 and otherwise recommends approval of the balance of the reconciled text.

68

69 **ITEM THREE**

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71 **ARTICLE II. LEGISLATIVE ORGANIZATION**

72 **Section 2. University Senates Conference**

73 **a. Organization**

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75 **October 24, 2014 version as considered by the UIUC Senate:**

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77 **USSP Comment and Recommendation:** The UIUC Senate approved only part of the changes in
78 Article II, Section 2, because USC did not at that time have Bylaws.

79

80 (1) The University Senates Conference shall be made up of twenty members. The basic
81 representation shall be two members from each senate. Additional members shall be apportioned to each
82 senate, at least one from each senate, in numbers proportional to the number of faculty members on each
83 campus. The apportionment shall be recalculated every five years. Each senate shall elect its own
84 representatives from its membership.

85

86 (2) Senators whose senatorial terms expire before their conference terms expire shall
87 complete their conference terms. Any faculty senator or faculty senator-elect shall be eligible for
88 election to the conference. The term of office shall be three years beginning on the first day of the next
89 academic year following the election. ~~Approximately one-third of the conference members from each~~
90 ~~senate shall be elected annually.~~

91

92 ~~(3) A quorum for conference meetings shall consist of a simple majority of the total~~
93 ~~membership of the conference. If a quorum cannot be obtained otherwise, the conference members~~
94 ~~from a senate may designate as many as two alternates from the faculty members of their own senate to~~
95 ~~serve at a specific meeting.~~

96

97 ~~(34) The conference officers shall be a chair and a vice chair, who shall not be from the~~
98 ~~same senate and who shall be elected for one-year terms by and from the conference ~~and shall not be~~~~
99 ~~from the same senate. The chair shall not be from the same senate in two consecutive years.~~

100

101 ~~(4 5) The executive committee of the conference shall consist of two members from each~~
102 ~~senate: the conference chair, the conference vice chair, and four additional members elected annually by~~
103 ~~and from the conference. The conference may authorize the executive committee to act on behalf of the~~
104 ~~conference between scheduled meetings.~~

105

106 **February 25, 2015 version showing changes recommended by USC to reconcile text:**

107

108 (1) The University Senates Conference shall be made up of twenty members. The basic
109 representation shall be two members from each senate. Additional members shall be apportioned to
110 each senate, at least one from each senate, in numbers proportional to the number of faculty members on
111 each campus. The apportionment shall be recalculated every five years. Each senate shall elect its
112 own representatives from its membership.

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114 (2) Senators whose senatorial terms expire before their conference terms expire shall
115 complete their conference terms. Any faculty senator or faculty senator-elect shall be eligible for
116 election to the conference. The term of office shall be three years beginning on the first day of the next
117 academic year following the election. ~~Approximately one-third of the conference members from each~~
118 ~~senate shall be elected annually.~~

119

120 ~~(3) A quorum for conference meetings shall consist of a simple majority of the total~~
121 ~~membership of the conference. If a quorum cannot be obtained otherwise, the conference members~~

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119 from a senate may designate as many as two alternates from the faculty members of their own senate to
120 serve at a specific meeting.

121

122 (34) The conference officers shall be a chair and a vice chair, who shall not be from the
123 same senate and who shall be elected for one-year terms by and from the conference ~~and shall not be~~
124 ~~from the same senate~~. The chair shall not be from the same senate in two consecutive years.

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126 (45) The executive committee of the conference shall consist of two members from
127 each senate: the conference chair, the conference vice chair, and four additional members elected
128 annually by and from the conference. The conference may authorize the executive committee to act on
129 behalf of the conference between scheduled meetings.

130

131 (5) The University Senates Conference shall adopt bylaws which, except as otherwise
132 provided in these Statutes, shall govern its procedures and practices, including such matters as
133 committee structure and duties, calling of meetings and establishment of agenda, election of officers,
134 and definition of quorum. The bylaws shall provide for procedures to exercise those statutory duties
135 specified in Article II, Section 2 (b). The bylaws and any changes thereto shall be reported to the
136 campus senates and to the Board of Trustees through the president.

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138 **USSP Comment and Recommendation:** Following the April 1, 2015 adoption of initial Bylaws by
139 the University Senates Conference, USSP recommends approval of the reconciled text containing a new
140 subparagraph 5.

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ITEM FOUR

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Article II, Section 2

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October 24, 2014 version as modified and approved by UIUC Senate on December 8:

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c. The conference may act and may authorize its executive committee to act as an advisory group
to the Board of Trustees ~~(through the president)~~, the president, other administrative officials, and the
several senates on matters of university-wide concern. It shall be a special concern of the conference
executive committee to aid in maintaining harmonious relations among such officers and the units of the
University.

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February 25, 2015 version showing changes recommended by USC to reconcile text:

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c. The conference may act ~~and may authorize its executive committee to act~~ as an advisory group
to the Board of Trustees, the president, other administrative officials, and the several senates on matters
of university-wide concern. It shall be a special concern of the conference executive committee to aid in
maintaining harmonious relations among such officers and the units of the University.

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USSP Comment and Recommendation: USSP recommends approval of the reconciled text.

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ITEM FIVE

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ARTICLE II. LEGISLATIVE ORGANIZATION

Section 4 Faculty Advisory Committee

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October 24, 2014 version as modified and approved by UIUC Senate on February 9:

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At each campus the faculty shall elect a Faculty Advisory Committee, which shall provide a means for the orderly voicing of grievances or related concerns about the governance and procedures of academic or administrative campus units. A member of the academic staff or a retired member shall be entitled to a conference with the committee or with any member of it on any matter properly within the purview of the committee. Academic employees who are members of the Professional Advisory Committee electorate shall use the procedures outlined in Section 5 of Article II. In addition, the committee may make confidential reports on personnel matters at the request of the provost, the chancellor/vice-president, or the president. In performing these its functions, the committee shall make such investigations and hold such consultations as it may deem to be in the best interest of the campus.

February 25, 2015 version showing changes recommended by USC to reconcile text:

At each campus the faculty shall elect a Faculty Advisory Committee, which shall provide a means for the orderly voicing of grievances or related concerns about the governance and procedures of academic or administrative campus units. A member of the academic staff or a retired member shall be entitled to a conference with the committee or with any member of it on any matter properly within the purview of the committee. Academic employees who are members of the Professional Advisory Committee electorate shall use the procedures outlined in Section 5 of Article II. In addition, the committee may make confidential reports on personnel matters at the request of the provost, the chancellor/vice-president, or the president. In performing these its functions, the committee **shall may, on its own initiative,** make such investigations and hold such consultations as it may deem to be in the best interest of the campus.

USSP Comment and Recommendation: USSP recommends approval of the reconciled text.

ITEM SIX

ARTICLE II.LEGISLATIVE ORGANIZATION

Section 4 Faculty Advisory Committee—Unnumbered paragraphs

Note: In the three unnumbered paragraphs (i.e., “Items Six, Seven, and Eight” here and below) that followed the above text, there were no substantive variations between the UIUC Senate approval of October 24 text and the February 25 USC text, and they are therefore not presented here. However, there are variations to note in the final three unnumbered paragraphs of this Section which are reproduced here.

October 24, 2014 version as modified and approved by UIUC Senate on February 9 :

The committee shall elect its own chair at its first meeting of each academic year. The committee shall adopt its ~~rules of procedure~~ articles of procedure, copies whereof shall be sent to all members of the academic staff (as defined in Article IX, Sections 4a and 3c) and to the chancellor/vice president and the president. The committee shall define, in its articles of procedure, the size of its membership and a method for filling vacancies that occur between regular elections. ~~The committee shall make such reports to the chancellor/vice president, the president, the senate, and the faculty as it deems appropriate at least once a year.~~

February 25, 2015 version showing changes recommended by USC to reconcile text:

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The committee shall elect its own chair at its first meeting of each academic year. The committee shall adopt its rules **or articles of procedure**, copies whereof shall be sent to all members of the academic staff (as defined in Article IX, Sections 4a and 3c) and to the chancellor/vice president and the president. The committee shall define, in its **rules or** articles of procedure, the size of its membership and a method for filling vacancies that occur between regular elections. ~~The committee shall make such reports to the chancellor/vice president, the president, the senate, and the faculty as it deems appropriate at least once a year.~~

USSP Comment and Recommendation: USSP recommends approval of the reconciled text.

ITEM SEVEN

ARTICLE II.LEGISLATIVE ORGANIZATION

Section 4 Faculty Advisory Committee—Unnumbered paragraphs

October 24, 2014 version as modified and approved by UIUC Senate on February 9:

The committee shall report on the broad nature of its activities and recommendations to the senate and the faculty as it deems appropriate, but at least once a year. These reports shall maintain the confidentiality of individual personnel cases. Confidential reports of findings from individual cases may be conveyed to unit executive officers, to deans, to the provost, to the chancellor/vice president, and/or to the president, as appropriate to the nature of the case. The committee shall report on its activities and recommendations to the senate and the faculty as it deems appropriate, but at least once a year. These reports shall maintain the confidentiality of individual personnel cases, but may describe the broad nature of cases presented to it. The committees shall provide for the orderly voicing of suggestions for the good of the University, afford added recourse for the consideration of grievances, and furnish a channel for direct and concerted communication between the academic staff (as defined in Article IX, Sections 4a and 3c) and the administrative officers of the University, its colleges, schools, institutes, divisions, and other administrative units on matters of interest or concern to the academic staff (as defined in Article IX, Sections 4a and 3c) or any member of it. Academic staff members who are members of the Professional Advisory Committee electorate shall use the procedures outlined in Section 5 of Article II.

February 25, 2015 version showing changes recommended by USC to reconcile text:

The committee shall report on the broad nature of its activities and recommendations to the senate and the faculty as it deems appropriate, but at least once a year. These reports shall maintain the confidentiality of individual personnel cases. Confidential reports of findings from individual cases may be conveyed to unit executive officers, to deans, to the provost, to the chancellor/vice president, or to the president, as appropriate to the nature of the case, **but may describe the broad nature of cases presented to it.** ~~The committees shall provide for the orderly voicing of suggestions for the good of the University, afford added recourse for the consideration of grievances, and furnish a channel for direct and concerted communication between the academic staff (as defined in Article IX, Sections 4a and 3c) and the administrative officers of the University, its colleges, schools, institutes, divisions, and other administrative units on matters of interest or concern to the academic staff (as defined in Article IX, Sections 4a and 3c) or any member of it. Academic staff members who are members of the Professional Advisory Committee electorate shall use the procedures outlined in Section 5 of Article II.~~

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USSP Comment and Recommendation: USSP agrees with the deletion of the following extraneous phrase “but may describe the broad nature of cases presented to it”, and therefore recommends approval of the reconciled text.

ITEM EIGHT

ARTICLE II.LEGISLATIVE ORGANIZATION

Section 4 Faculty Advisory Committee—Unnumbered paragraphs

October 24, 2014 version as modified and approved by UIUC Senate on February 9:

In performing its functions, the committee upon the request of the chancellor/vice president, the president, or any member of the academic staff (as defined in Article IX, Sections 4a and 3c), or upon its own initiative shall make such investigations and hold such consultations as it may deem to be in the best interest of the University. ~~A member of the academic staff (as defined in Article IX, Sections 4a and 3c), or upon its own initiative shall make such investigations and hold such consultations as it may deem to be in the best interest of the University. A member of the academic staff (as defined in Article IX, Sections 4a and 3c) or a retired member shall be entitled to a conference with the committee or with any member of it on any matter properly within the purview of the committee.~~

February 25, 2015 version showing changes recommended by USC to reconcile text:

~~In performing its functions, the committee upon the request of the chancellor/vice president, the president, or any member of the academic staff (as defined in Article IX, Sections 4a and 3c), or upon its own initiative shall make such investigations and hold such consultations as it may deem to be in the best interest of the University. A member of the academic staff (as defined in Article IX, Sections 4a and 3c), or upon its own initiative shall make such investigations and hold such consultations as it may deem to be in the best interest of the University. A member of the academic staff (as defined in Article IX, Sections 4a and 3c) or a retired member shall be entitled to a conference with the committee or with any member of it on any matter properly within the purview of the committee.~~

USSP Comment and Recommendation: During the UIUC Senate meeting of February 9, this text was recommended for retention primarily because the phrase “or upon its own initiative” was not found elsewhere in this section. That phrase has now been recommended by USC in another sentence (see ITEM FIVE, above). USSP therefore recommends approval of the reconciled text showing the deletion of this paragraph.

ITEM NINE

ARTICLE II.LEGISLATIVE ORGANIZATION

Section 4 Faculty Advisory Committee—Unnumbered paragraphs

USSP Comment and Recommendation: To ensure clarity, the USC’s February 25 reconciliation recommends the addition of a cross reference in Article VIII to ensure that changes of departments beyond chair/head status must follow Article VIII, Section 4, not Article IV, Section 4:

318 **ARTICLE VIII. CHANGES IN ACADEMIC ORGANIZATION**

319 **Section 4. Changes in Existing Units**

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

329 A reorganization of a department from a chair to a head, or from a head to a chair, may be
330 accomplished only as specified in Article IV, Section 4 of these *Statutes*.

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332 **USSP Comment and Recommendation:** USSP recommends approval of the reconciled text showing
333 this new paragraph.
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336 **ITEM TEN**

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338 **Article II, Section 3**

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340 **On March 9, the UIUC Senate approved the following recommendation from the USSP:**

341
342 “Lines 250-320...Revise the wording from “tenure-track” and “non-tenure-track” to
343 “tenure-system” and “non-tenure-system” in each instance where it is used. The term “system”
344 more clearly incorporates both probationary faculty and those with indefinite tenure and it also
345 reflects existing human resources practices at the University.”
346

347 The April 1 recommendation from the University Senates Conference was to not introduce the term
348 “tenure system.” Instead, USC recommended the use of the phrase “tenured and tenure track faculty” in
349 each instance where the pre-existing *Statutes* use the phrase “tenured or receiving probationary credit
350 toward tenure.”
351

352 **USSP Comment and Recommendation:** While USSP recognizes that by saying “tenured and tenure-
353 track” USC avoids the confusion that was present in the October 24, 2014 proposed amendments, use of
354 the four-word phrase is cumbersome compared to the term “tenure system.” Further, “tenure system” is
355 the prevailing phrase used in the human resources office of all three campuses. Although the USC
356 reconciliation text is cumbersome, USSP recognizes that the proposed four-word phrase is not
357 substantively wrong and thus passable for the moment. USSP makes no recommendation about the
358 reconciled text.
359

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361 **ITEM ELEVEN**

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363 **Article IX, Section 3b**

364
365 **On April 6, the UIUC Senate approved the following recommendation from the USSP:**

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367 Lines 1163-1165 ... USSP suggested revising the wording to read: “b. Appointments shall be
368 made solely on the basis of the special fitness of the individual for the work demanded in the
369 position and shall follow university policies and guidelines regarding recruitment, selection, and
370 promotion.”
371

372 **April 21, 2015 version showing changes recommended by USC to reconcile text:**

373

374 b. Appointments shall be made solely on the **bases** of the special fitness of the individual for the work
375 demanded in the position and shall follow university policies and guidelines regarding recruitment,
376 selection, and promotion.

377

378 **USSP Comment and Recommendation:** USC members felt that appointments are often made, not
379 “solely” on the basis of “special fitness”, but often with consideration of other factors such as diversity.
380 As a compromise with the desire of the Urbana Senate to retain the word “solely”, the word “basis” was
381 changed to the plural “bases”. USSP recommends approval of the reconciled text.

382

383

384 **ITEM TWELVE**

385

386 **Article IX, Section 5c**

387

388 **On April 6, the UIUC Senate approved a recommendation from the USSP** designed to amend
389 language which seemed vague (such as a reference to “appropriate administrator”) and to remove a
390 restriction on excess service within a person's own department.

391

392 **On April 21, USC,** after consultation with HR, determined that the level of detail in this subsection was
393 best left to the *General Rules*, and so recommended deletion of the entire subsection from the *Statutes*.
394 (The following subsection 5d then becomes 5c.)

395

396 **USSP Comment and Recommendation:** USSP believes that the provisions that are in the current text
397 of this section are important for inclusion in the *Statutes* and thus subject to Senate review. Therefore,
398 USSP recommends against the deletion and instead recommends retention of the current, unaltered text
399 of Article IX, Section 5c.

400

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

410

411 **ITEM THIRTEEN**

412

413 **Article XII, Section 2b**

414

415 **On April 6, the UIUC Senate approved the following observation by the USSP:**

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417 Lines 2024-25 propose “Funds to meet these indirect costs must be provided either by the
418 sponsors, by special arrangement, or by tax funds.” USSP questions whether “special
419 arrangement” is appropriate for what it imagines is at issue here.

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421 **April 21, 2015 version showing text recommended by USC:**

422

423 Funds to meet these indirect costs must be provided either by the sponsors, by tax funds, or by special
424 arrangement approved by the University Chief Financial Officer.

425

426 **USSP Comment and Recommendation:** USSP recommends approval of this reconciled text.

427

428 However, USSP has noticed an additional problem. The next sentence following the one discussed
429 above is, “In the latter case, because such activities come into direct competition for funds with other
430 interests within the University, careful consideration shall be given the acceptance of such contracts.”

431 With the newly edited sentence above, “latter case” refers to the wrong case. Thus, USSP recommends
432 approval of the following edited sentence to preserve the original meaning: “In the latter case of tax
433 funds, because such activities come into direct competition for funds with other interests within the
434 University, careful consideration shall be given the acceptance of such contracts.”

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UNIVERSITY STATUTES AND SENATE PROCEDURES

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H. George Friedman

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