UNIVERSITY OF ILLINOIS
URBANA-CHAMPAIGN SENATE

University Statutes and Senate Procedures
(Action;Revised Second Reading)

SP.94.02 Proposed Statutory Changes Re: Terms of Employment Amendment to Article IX

BACKGROUND

A slightly different version of this statutory revision was approved by the Urbana-Champaign Senate on April 21, 1997 <http://www.uiuc.edu/providers/senate/sp9402.html>. Since the Senate Committee on University Statutes and Senate Procedures (USSP) believes the changes from that version to this one are not substantive, this proposal is being presented as a revised Second Reading.

Principal changes include:

- Migrating the proposed language to Article IX of the Statutes instead of Article X
- Adding flexibility to and streamlining the appeals process
- Retaining only suspension with or without salary as a possible sanction
- Classifying these sanctions as "severe" to distinguish them from lesser sanctions which may be imposed administratively

RECOMMENDATIONS

The Senate Committee on University Statutes and Senate Procedures recommends approval of the following modifications to the University Statutes.

PROPOSED AMENDMENTS TO THE UNIVERSITY STATUTES,

Article IX, New Section 6:

Section 6 SEVERE SANCTIONS OTHER THAN DISMISSAL FOR CAUSE

(a) Severe sanctions other than dismissal for cause may be imposed on a member of the faculty, as defined in Article IX, Section 4a of the Statutes, provided that procedures on a campus adopted by the campus chancellor in consultation with that campus senate are followed. In all cases, the chancellor or the chancellor's designee shall exercise the duties assigned to the president for faculty 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, 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 if the elected
commitee recommends that charges be dropped and the provost concurs, the case shall
be considered closed, 5) the opportunity for the faculty member to file an appeal with the
chancellor within 20 days following the provost's decision to impose sanctions, 6) an appeal
process encompassing both substantive and procedural objections, and 7) a process
wherein the chancellor's decision on the merits of an appeal is final. These campus
procedures are the exclusive process for determining whether sanctions less than
dismissal may be imposed, and neither intermediate actions nor the final decision under
these processes are subject to review under existing grievance policies.

(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
subsection (d) 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.

Renumber remaining sections.