

UNIVERSITY OF ILLINOIS URBANA-CHAMPAIGN SENATE**SENATE EXECUTIVE COMMITTEE****(Final; Information)****SC.20.30 Senate Executive Committee's Response to the Report of the Eighth Senate Review Commission**

On May 14, 2019, the Eighth Senate Review Commission (SR) submitted nine sets of recommendations for consideration to the Senate and the Senate Executive Committee (SEC). The submission asked for a written response at the end of the academic year to promote transparency and accountability.¹ This document provides that response.

As discussed more fully below, the Senate has completed responses to many of the recommendations. In response to others, appropriate Senate committees have developed proposals for policy changes—most of which will be presented to the Senate in the Fall. Finally, the Senate, acting through its committee structure, is still in the process of developing responses to some recommendations.

RECOMMENDATION #1:**REVIEW PARTICIPATION OF EMERITI IN THE SENATE AND ITS COMMITTEES**

On February 10, 2020, pursuant to EC.20.03, the Senate held an open discussion of the role of emeriti in the Senate and Senate committees. The Senate Committee on Elections and Credentials (EC) presented information on the historical number of emeriti participating in each standing committee. Based on its review and the data, EC recommended approving current rules and practices on emeriti participation on the grounds that current levels of participation are valuable and provide institutional memory. The Senate approved the recommendation.

[Status: Complete.]

¹ The document says: “To provide accountability and transparency, SR requests that the SEC provide a written response to the Senate on each recommendation by the end of the 2019-20 academic year. The written response should contain details of what, if any, action has been taken and the current status of each recommendation.”

RECOMMENDATION #2:

IMPROVE THE MANAGEMENT OF SENATE MEETINGS TO MAINTAIN QUORUM

In response to the recommendation to improve management of Senate meetings to maintain quorum, the Senate has adopted a number of measures. As a result, quorum was lost only once in the last academic year—and then only with respect to one item.

On November 11, 2019, consistent with SR recommendations, the Senate adopted *Standing Rule 17* (see SP.20.04), which sets default time limits for the introduction and discussion of Senate items. The SEC also accepted the recommendation to use its agenda-setting powers to forefront action items. On the other hand, the SEC decided *not* to change the adjournment time in *Standing Rule 1* from 5:15 pm to 5:00 pm—on the ground that that change would likely make quorum harder to maintain. The SEC also decided against setting formal time limits for the Chancellor’s and SEC Chair’s remarks. All parties have, however, discussed quorum issues, and these discussions have led to greater voluntary time sensitivity.

The SEC has also gone beyond specific SR recommendations to use other techniques to aid with time management. On a few occasions where timing issues were especially challenging, the SEC has set default times for the overall discussion of some items. The SEC Chair has also made it a regular practice to remind senators of potential quorum issues at critical junctures. Before the academic year started, a group of former and current SEC Chairs created an *Unofficial Guide to the Responsibilities of Senators*, which was distributed to senators and can be found on the Senate website. Among other things, the guide contains suggestions for advance planning and other practices that can help maintain quorum. A short presentation, which we believe was helpful and effective, was given at the first Senate meeting of the year.

When considering time management, the Senate has been careful to try to balance the need for efficiency and timely action against the need to ensure sufficient time and space for Senate deliberation.

[Status: Complete.]

RECOMMENDATION #3:

REVISE THE *BYLAWS*, PART A.1 AND A.5.G

Recommendation 3 asks the SEC to discuss whether the Chancellor or some other person should regularly preside over Senate meetings. See *Bylaws* A.1. After preliminary discussion, this matter was referred to the Senate Committee on University Statutes and Senate Procedures (SP), which has produced a draft of a possible *Bylaws* change, SP.20.17, which would separate the initial part of Senate meetings from the business portions. Under the current draft proposal, the Chancellor would continue to call regular Senate meetings to order, offer remarks, and respond to questions. The SEC Chair would then take over and preside over the business portions. Pending additional discussion and refinement by SP, the final draft of SP.20.17 should be presented to the Senate in the Fall.

Recommendation 3 also suggests that the incumbent SEC Chair (as opposed to the Chancellor or the Chancellor's designee) should preside over the annual organizational meeting, while allowing the Chancellor or the Chancellor's designee to call the meeting to order and offer remarks. That recommendation was informally implemented by the SEC for the most recent organizational meeting. The SEC was able to implement this recommendation informally because *Bylaws* A.5.g states that "the organizational meeting shall be supervised by the Senate Executive Committee, and the Chancellor or the Chancellor's designee shall be invited to preside." To further formalize this SR recommendation, the SEC has referred to SP the following suggested change to *Bylaws* A.5.g: "the organizational meeting shall be supervised by the Senate Executive Committee, and the Chancellor or the Chancellor's designee shall be invited to preside call the meeting to order, offer remarks, and engage in question and answer." The final draft of this proposed change should be submitted to the Senate in the Fall.

[Status: Complete (Part); To Be Submitted in Fall (Part).]

RECOMMENDATION #4:

REVISE THE DUTIES OF THE SENATE COMMITTEE ON EDUCATIONAL POLICY, INCLUDING *STANDING RULE 13*.

In response to the recommendation to revise the *Bylaws* to ensure that the Senate Committee on Educational Policy's (EP's) stated duties align with the Senate's statutory jurisdiction over educational policy matters, EP has produced a draft set of proposed *Bylaws* changes, which SP is currently discussing as SP.20.05. Only subsections A through D address the Senate. Here are our responses to date:

- A. Degree Programs and Requirements for Award of Degrees.** EP and SP decided not to accept the recommendation to provide explicit clarification (at least in the form of a definition) of what "general" requirements refer to when referenced in the *Statutes*, Article II, Section I.c. We understand that clarification could help settle some periodic jurisdictional disputes between colleges and the Senate. Disputes can arise because the *Statutes*, Article III, Section 2c, gives each college jurisdiction over "all educational matters falling within the scope of its programs," "[s]ubject to the jurisdiction of the Senates as provided in Article II, Section 1." But Article II, Section 1 then defines the Senate's jurisdiction as extending to "matters of educational policy including . . . *general* requirements for degrees and certificates" (emphasis added) but excluding "matters over which the college is given jurisdiction by Article III, Section 2c." There is a circularity here that can only be settled by clarifying what the right interpretation of "general" is in Article II, Section I.c.² We recognize that colleges and the Senate have sometimes adopted different interpretations of this term.

² The term "general" also arises in another place, which is relevant to drawing the line between the statutory jurisdiction of colleges and the Senate. The *Statutes*, Article III, Section 2c says: "The college has the fullest measure of autonomy consistent with the maintenance of *general*

EP and SP decided not to try to define this term further in its *Bylaws* for a combination of reasons. The term as used in the *Statutes*, Article II, Section 1.c is difficult to define for wide application to all possible cases. Additionally, retaining ambiguity forces colleges and the Senate to interact in cases of jurisdictional dispute. An overly rigid definition in the *Bylaws* may prove an erroneous reflection of statutory jurisdiction, as educational policy evolves; or in cases where there may be unexpected implications for other units or for the campus. At the same time, the proposed *Bylaws* changes do offer some examples that may help clarify how EP and SP interpret this term. Perhaps the most that the Senate can be reasonably expected to do, in response to this SR recommendation, is to revise its *Bylaws* to reflect how *it* interprets this term.³ To the extent that there are continuing disagreements over interpretation, the *Statutes*, Article III Section 2.c, states: “In questions of doubt concerning the proper limits of this autonomy between the college and the senate, the college shall be entitled to appeal to the chancellor/vice president for a ruling.”

It should be remembered, in this regard, that because colleges and the Senate are part of a larger entity, the University of Illinois at Urbana-Champaign, the quality and content of individual unit activities, programs, degrees, and other educational policies can impact the university as a whole. The Senate—which represents the campus as a whole and provides the statutory avenue for shared governance on issues affecting the campus as a whole and relations between colleges—plays a vital role in ensuring that these broader interests are represented in educational policy decisions, including by prompting consideration of possible unintended consequences for other colleges or the university as a whole. The Senate’s statutory jurisdiction furthers those purposes, thus promoting thoughtful review and decision-making.

[Status: Complete.]

- B. Initiation, Changes or Discontinuance of Curricula:** To recognize the statutory granting of authority to colleges over their own curricula, EP has proposed deleting reference to “curricula” in its statement of duties. Instead of a reference to the initiation, changes, or discontinuance of “curricula,” the proposed revisions state that “[w]hile respecting autonomy of disciplinary experts within each college to determine specifics of their own curricula,” EP shall “review, prior to any attempt to implement [a proposal], all proposals to (a) initiate, discontinue, suspend enrollment in or alter programs of study, including their overall methods of delivery and learning outcomes” or to “(b) form, terminate, separate, transfer, merge, rename as a matter of organization, or otherwise change the status of any academic unit or program of study

university educational policy and correct academic and administrative relations with other divisions of the University” (emphasis add).

³ Proposals to revise the Statutes seem unlikely to produce easy agreement over these issues and may even result in an overly rigid solution.

to determine whether such proposals are consistent with general policies over which the Senate has legislative jurisdiction (per *Statutes*, Article II), to ensure that all potential stakeholders have had opportunity to respond, and to make recommendations to the Senate concerning appropriate action.” This text reflects EP’s interpretation of the statutory limits of autonomy between colleges and the Senate with respect to these matters—i.e., both the understanding that (i) any change by any unit may have unexpected direct or indirect impacts on other units or the university as a whole and (ii) the units themselves are best equipped to determine the subject matters to be taught within their disciplines. The proposed changes have been submitted to SP, pursuant to SP.20.05, and—pending discussion and revision at SP—should be presented to the Senate in the Fall.

[Status: Complete (Part); To Be Submitted in Fall (Part).]

- C. Formation of New Units and Changes in Organization:** The next SR recommendation suggests developing appropriate statutory and *Bylaws* revisions if there is a desire to formalize the document entitled “Levels of Governance for Programs and Curricular Changes.” This document—which is sometimes referred to as “LOG”—is an informal guide, which was last updated by the Provost’s Office in 2015 to reflect contemporaneous understanding of then-existing practice. The purpose of the LOG document is to provide an overview of the approval processes needed for different classes of proposals. LOG has, however, never been formally adopted by the Senate or in any of its *Bylaws*. The document does not reflect a formal understanding of Senate jurisdiction over educational policy matters—especially as such matters can and do evolve.⁴

Sections 18 through 20 of the LOG document—which refer to three scenarios, or categories of proposals—suggest that review and approval from EP and the UIUC Senate are not required for proposals to offer:

- (1) “an existing program (50% or more of the program) at an out-of-state-site” (Scenario 18);
- (2) “coursework (five or more courses) at off-campus sites – out of state or international” (Scenario 19); or
- (3) “50% or more of an existing degree on-line or through another type of distance education” (Scenario 20).

⁴ For example, the recent creation of the Discovery Partners Institute (DPI) has entailed educational program or course proposals that do not easily fit into the categories of this document but that uncontroversially fall within the Senate’s jurisdiction.

Over the last academic year, and in part due to changing circumstances related to online pedagogy, EP voted to seek formal proposals for matters that were not listed as requiring EP approval in the LOG document. Given the growing importance of questions relating to online pedagogy for general educational policy, EP considers the *Statutes* to give it jurisdiction over many such proposals. Hence, EP does not desire to formalize the LOG document as it currently stands.

In the coming academic year, EP, in coordination with the Provost's office, may attempt to create and possibly formalize a more up-to-date and flexible guidance document for colleges as a replacement. While colleges may disagree with some interpretations of statutory jurisdiction found in any such amended guidance (or in any of these other EP decisions to date), the *Statutes*, Article III, Section 2.c, provides a mechanism to resolve jurisdictional doubts: "In questions of doubt concerning the proper limits of th[e] autonomy between the college and the senate, the college shall be entitled to appeal to the chancellor/vice president for a ruling."

Because the quality and content of individual unit activities, programs, degrees, and other educational policies can impact other units or the university as a whole, Senate jurisdiction must be construed to allow EP to represent these broader interests in educational policy decisions as necessary or appropriate.

[Status: Complete (Decision not to Formalize Current LOG document); Ongoing (Possible Development of Up-to-Date Guidance Document).]

- D. Formation, Termination, Separation, Transfer, Merger, Change in Status, or Renaming of Units/Naming and Renaming Rights/*Standing Rule 13*:** In response to the recommendation to remove *Standing Rule 13* or to rewrite it to ensure it does not conflict with the statutory jurisdiction of colleges, EP has proposed striking *Standing Rule 13*, pursuant to SP.20.05, and moving some of its procedural content (found mainly in 13b and 13c) into its *Bylaws*. These revisions would still preserve the duty of colleges to report closings as stated in the *Statutes*. Pending additional discussion and refinement by SP, SP.20.05 should be ready to present to the Senate in the Fall.

To address additional questions related to renaming, the Senate also passed SP.19.12, Proposed Revisions to the *Statutes*, Article VIII, Section 4 – Changes in Existing Units (ST-84), which formalizes a process for the *eponymic* renaming of units (e.g., affixing the name "Gies" to the "College of Business"). Prior to this formalization, there was some disagreement about how to review and approve eponymic renamings, which differ in kind from disciplinary or organizational renamings (e.g., changing the "College of Commerce" to the "College of Business"). SP.19.12 clarifies that different processes are necessary and specifies the processes to be used for eponymic renamings.

[Status: Complete (Part); To Be Submitted in Fall (Part).]

RECOMMENDATION #5:**FURTHER DEFINE ELIGIBILITY AND DUTIES OF THE SEC CHAIR AND VICE CHAIR**

The SEC has accepted the recommendation to develop proposed *Bylaws* changes to restrict the eligibility for the SEC Chair and Vice Chair positions. The SEC has also accepted the recommendation to develop proposed *Bylaws* language to specify some duties of the SEC Chair and Vice Chair in the ways described in this SR recommendation. Those proposals have been submitted to SP and integrated into SP.20.05, which—pending additional discussion and refinement—will be submitted to the Senate in the Fall.

[Status: Complete (Part); To Be Submitted in Fall (Part).]

RECOMMENDATION #6:**CREATE A GUIDE TO CLARIFY THE ROLE AND DUTIES OF EACH SENATE COMMITTEE CHAIR**

The process of creating a guide to clarify the roles and duties of each Senate committee chair could only begin in earnest after completion of next the recommendation below (i.e., recommendation #7, which asks for a review each Senate committee's duties and membership). Once that review was complete, the SEC on May 20, 2020 discussed how to move forward with the creation of these guides. There was general agreement that it would be overly burdensome and duplicative to ask each committee chair to create such a document from scratch. To start a more reasonable and manageable process, the SEC asked the Senate Committee on General University Policy (GP) to work with the Office of the Senate to generate a draft template by August 1, 2020 with information relating to (1) general Senate jurisdiction, (2) the statutory and *Bylaws* powers and duties that govern each committee; (3) the Illinois Open Meetings Act; (4) the processes to create subcommittees; (5) the processes to interact with the SEC, to place items on Senate agendas, and to introduce items at Senate meetings; and (6) the guidelines and deadlines for annual reports.

Running in parallel, the SEC has asked the chairs of each standing committee to produce by July 1, 2020 a set of bullet points that describe: (1) the functions that the committee serves; (2) the typical work product it creates; (3) how and when it interacts with other committees or offices or actors; and (4) any other aspects of the committee's work or that of the committee chair that should be communicated to incoming chairs and members. These bullet points will be inserted into the more general template to produce first drafts, which can then be reviewed and evolve over the years.

[Status: Ongoing—In Part Because Contingent on Completion of Recommendation #7 Below.]

**RECOMMENDATION #7:
REVIEW EACH SENATE COMMITTEE’S DUTIES AND MEMBERSHIP**

This SR recommendation asks committee chairs to review their duties and membership, as stated in the *Bylaws*, to determine if the body is appropriately charged, aptly structured, and properly functioning. The recommendation contains some additional specific recommendations to consider that relate to specific committees. To date, sixteen of nineteen committees have completed this process and submitted proposed *Bylaws* revisions to SP. Six committee proposals have been submitted to and approved by the Senate—with another ten to be submitted over the next academic year. The remaining three committees did not identify any needed changes.

[Status: Complete (Part); To Be Submitted in the Next Academic Year (Part).]

**RECOMMENDATION #8:
REVIEW THE *BYLAWS*, PART E (GOVERNING AND ADVISORY BODIES) AND PART F (SENATE REPRESENTATIVES TO OTHER BODIES)**

In response to the recommendation to clarify both the functions of some hybrid and joint governance bodies and how Senate representation operates with respect to these bodies in the Senate *Bylaws*, this matter was referred to SP, which will draft proposed language under SP.20.07. Draft changes with respect to two of the bodies identified in Part E—the Faculty Advisory Committee and the Joint Advisory Committee on Investment, Licensing, and Naming Rights—should be relatively minor. Draft revisions concerning the other two bodies—the Athletic Board and the General Education Board—will require more substantial work and consultation.

The Chair of SP has begun to work with the relevant stakeholders and appropriate University offices to rewrite *Bylaws* Part E. The descriptions of the bodies identified in *Bylaws* Part F may also require small revisions and/or may be incorporated in a unified Part E with all the bodies included in current Parts E and F.

[Status: Ongoing.]

**RECOMMENDATION #9:
REVIEW THE VALUE OF SERVICE TO THE SENATE**

In response to the recommendation that the SEC work with University administrators at various levels to better acknowledge and recognize Senate service and advocate for recognition of Senate service in Promotion & Tenure review, the SEC formed an *ad hoc* committee (comprised of four senior senators with wide experience relating to Senate and Senate committee service, the Clerk of the Senate, and the Vice Provost for Academic Affairs) to consider issues relating to Committee Chair compensation and the recognition of Senate service. That committee is developing recommendations, and the Provost’s Office has formed a task group to revise Provost Communication #9—one charge of which is to address better issues of Senate service. Early in

the 2019-2020 academic year, the SEC chair also met with the Council of Deans and emphasized the importance of recognizing Senate service.

[Status: Complete (Formation of Groups and Parts); Ongoing (Work).]

SENATE EXECUTIVE COMMITTEE

Rob Kar, Chair
Mike Bohlmann
Brian Brauer
Nicholas Burbules
John Dallesasse
Shawn Gilmore
Kim Graber
Casey Griffin
Ane Icardo Isasa
Eric Meyer
Gay Miller
Chris Span
Joyce Tolliver
Matthew Wheeler
Susan Zhou