

UNIVERSITY OF ILLINOIS URBANA-CHAMPAIGN SENATE
COMMITTEE ON UNIVERSITY STATUTES AND SENATE PROCEDURES
(Final; Information)

SP.20.27 2019-2020 Annual Report of the Senate Committee on University Statutes and Senate Procedures

This report summarizes the activities of the Senate Committee on University Statutes and Senate Procedures (SP) during the 2019-2020 academic year. SP met on August 28, September 11, September 25, October 9, October 23, November 6, November 20, December 4, January 22, February 5, February 19, March 4, March 11, April 1, April 8, April 15, April 22, and May 6. More detailed information is provided in the minutes of those meetings.

I. ITEMS APPROVED BY SENATE

SP.17.12, Proposed Revisions to the *Statutes*, Article II, Section 3 – Faculty Role in Governance and Article X, Section 2 – Academic Freedom

After a lengthy process—initiated in 2010 and including two previous attempts (SP.10.11 and SP.15.07) by the Senate to modify the academic freedom protections in the *Statutes* to better consider administrative speech, in light of the Supreme Court’s ruling in *Garcetti v. Ceballos*—a set of revisions acceptable to SP, the Senate Committee on Academic Freedom and Tenure, the Office of the President, and University Counsel were brought forward. This process and its result were exceptional but were based on an agreement between the University Senates Conference and the Office of the President about how to resolve an impasse. The resulting proposed revisions provide encouragement to faculty to “consider, review, analyze, critique, discuss, address, and debate academic policy and governance” as part of the faculty role in governance and extend academic freedom protections including “the right to discuss and present scholarly opinions and conclusions both in and outside the classroom” to all academic staff. The Senate approved the revision to the *Statutes* on October 14, 2019, including a comment on issues that were not included in the set of revisions which will need to be revisited.

SP.18.13, Proposed Revision to the *General Rules*, Article III – Intellectual Property

A set of proposed revisions (GR-46), transmitted by the University Senates Conference (USC), related to Article III of the *General Rules*, the only portion of the *General Rules* that requires approval by the senates. These revisions primarily addressed (1) changing the role of the vice president of research to the new vice president for economic development and innovation, and (2) incorporating the new “system”/“university” language being adopted across all system-wide governance documents. This item was initially referred to the Senate Committee on General University Policy for its comment and was presented to the Senate at its April 30, 2018 meeting: the Senate was asked to defer action to allow further work on the item. In September 2018, USC returned a revised version of GR-46, which was sent to the Senate at its October 15, 2018 meeting, at which it was approved. In March 2019, USC

transmitted additional possible revisions based on concerns raised by the senates, including better internal references and clarifying the role of vice chancellors for research and the role of the Intellectual Property Committee. The Senate approved the revision to the *General Rules*, Article III on September 16, 2019.

SP.19.01, Proposed Revisions to the *Statutes* (USC ST-77)

The University Senates Conference (USC) sent a full revision of the *Statutes* to our Senate in September 2018 as ST-77, primarily revising the current use of “University” and “campuses” throughout the document to “System” and “Universities.” SP reviewed this extensive set of changes by first assigning portions of the revisions to individual committee members, each of whom made a list of each change, flagging any of concern. Chair Gilmore collated these lists and noted the most substantive issues, including some in addition to the shift from “University”/“campus” to “System”/“University”. SP then reviewed each of these revisions, offering both comment and sometimes potential rephrasing options, preparing a lengthy proposed package of revisions for the Senate. The Senate approved the revision to the *Statutes* on October 14, 2019. The reconciled proposal from University Senates Conference was reported to the Senate on February 10, 2020.

SP.19.12, Proposed Revisions to the *Statutes*, Article VIII, Section 4 – Changes in Existing Units

Following the passage of SP.19.12 on April 22, 2019, a proposed set of revisions to the *Statutes* to clarify the naming and renaming of units and how the Senate might delegate its authority in cases of renaming that involved only the addition of an eponym, the matter was transmitted via the University Senates Conference to the other Senates in Springfield and Chicago. The Springfield Senate passed this item with no changes, but the Chicago Senate proposed a restructuring of the language around renaming as well as changing the title and subtitles of this section of Article VII of the *Statutes*. SP recommended that the Senate only accept these changes in the titles and subtitles, but retain the text passed on April 22, 2019. The Senate approved this version of SP.19.12 on April 27, 2020.

SP.19.14, Proposed Revisions to the *Statutes*, Article III, Section 3 – Dean, Director, or Campus Librarian

A proposed revision to the *Statutes* recommends that on the initial appointment of a dean, director, or campus librarian, the chancellor/vice president shall seek the prior advice of a committee that is selected by the faculty of the college, the faculty of the unit, or the faculty of the campus library in accordance with its bylaws. The proposed revision was sent to the Senate Committee on General University Policy for input, and their concerns about the impetus for the proposed set of revisions were incorporated into the proposal sent to the Senate. The Senate approved the revision to the *Statutes* on April 27, 2020.

SP.20.02, Revision to the *Standing Rules* 2, 3, 5, 9, 10, 12, 14, and 16

Derived from conversations with the Office of University Audits and responding to the Report of the Eighth Senate Review Commission (XSR.19.01), SP conducted a review of the *Standing Rules*, identifying those that needed attention. Revisions to *Standing Rule* 5,

regarding the Illinois Open Meetings Act (OMA) were based on recommendations from the Office of University Audits. Revisions to *Standing Rule 10* would align the Rule with Senate practice. Revisions to *Standing Rule 12* clarified *ex officio* voting rights. In addition, SP recommended minor revisions to *Standing Rules 2, 3, 9, 14, and 16* to provide consistency in phrasing. The Senate approved the revision to the *Standing Rules* on November 11, 2019.

SP.20.03, Revision to the *Bylaws*, Part D.1 – Senate Executive Committee and *Standing Rule 11* – Election of a Senate Executive Committee Member from the Committee on the University Senates Conference

The information on how to elect the University Senates Conference member to the Senate Executive Committee has been contained in *Standing Rule 11*, but the *Bylaws* contained no reference to the *Standing Rule* relating to election procedures. The proposal moved the election information from *Standing Rule 11* to the *Bylaws* to be joined with other provisions on the election process. The proposal also established standard language when a *Standing Rule* is struck. The Senate approved the revision to the *Bylaws* and *Standing Rules* on November 11, 2019.

SP.20.04, Revision to the *Standing Rules* – Setting Time Limits for Introduction and Discussion of Senate Items

Responding to the Report of the Eighth Senate Review Commission (XSR.19.01), a new standing rule was proposed to establish time limits for the introduction (five minutes) and discussion (three minutes) of Senate items, and to also establish time limits for questions to the presiding officer of the Senate (two minutes). The Senate approved the revision to the *Standing Rules* on November 11, 2019.

SP.20.08, Revision to the *Bylaws*, Part D.19 – Committee on University Statutes and Senate Procedures

Responding to the Report of the Eighth Senate Review Commission (XSR.19.01), the Senate Committee on University Statutes and Senate Procedures (SP) proposed revisions to better align with the committee's responsibilities while also allowing SP to clearly address matters under its charge and that the Senate may direct to it. The Senate approved the revision to the *Bylaws* on February 10, 2020.

SP.20.09, Proposed Revision to the *Constitution*, Article II, Section 1.b; Article III, Section 1; and Article IV, Section 1

A small set of clarifying revisions to the *Constitution* were proposed to the passages defining the faculty, academic professional, and student electorates, as well as clarifying phrasing around those "pursuing a degree." The Senate approved the revision to the *Constitution* on February 10, 2020.

SP.20.10, Revision to the *Bylaws*, Part C – Elections

A revision was proposed to bring the *Bylaws* into alignment with the *Election Rules* for the academic professional, faculty, and student electorates. The Senate approved the revision to the *Bylaws* on December 9, 2019.

SP.20.11, Revision to the *Bylaws*, Part D.9 – Committee on Elections and Credentials

Responding to the Report of the Eighth Senate Review Commission (XSR.19.01), the Senate Committee on Elections and Credentials (EC) proposed revisions to clarify its duties and supplement its membership to better align them with the committee’s practice. The Senate approved the revision to the *Bylaws* on February 10, 2020.

SP.20.12, Revision to the *Bylaws*, Part D.5 – Committee on Campus Operations

Responding to the Report of the Eighth Senate Review Commission (XSR.19.01), the Senate Committee on Campus Operations (CO) proposed revisions to clarify the scope of its duties and revise the title of one of its *ex officio* members. The Senate approved the revision to the *Bylaws* on February 10, 2020.

SP.20.13, Revision to the *Bylaws*, Part D.8 – Committee on Educational Policy (membership)

Responding to the Report of the Eighth Senate Review Commission (XSR.19.01), the Senate Committee on Educational Policy (EP) proposed revisions to amend the titles of its *ex officio* members. The Senate approved the revision to the *Bylaws* on February 10, 2020.

SP.20.14, Revision to the *Bylaws*, Part D.6 – Committee on Committees

Responding to the Report of the Eighth Senate Review Commission (XSR.19.01) Recommendation #7, it was proposed to revise the academic professional member selection process for the Senate Committee on Committees to bring it in line with all other Senate committee academic professional members. The Senate approved the revision to the *Bylaws* on December 9, 2019.

SP.20.19, Revision to the *Bylaws*, Part D.12 – Committee on General University Policy

Responding to the Report of the Eighth Senate Review Commission (XSR.19.01), the Senate Committee on General University Policy (GP) proposed revisions to more clearly define its scope, including responsibilities referred to GP by the Senate. GP also proposed the addition of another faculty member and the Senior Associate Chancellor for Human Resources (or designee) as an *ex officio* member. The Senate approved the revision to the *Bylaws* on March 9, 2020.

SP.20.21, Revision to the *Bylaws*, Part D.13 – Committee on Honorary Degrees

Responding to the Report of the Eighth Senate Review Commission (XSR.19.01), the Senate Committee on Honorary Degrees (HD) proposed revisions to expand its membership. The Senate approved the revision to the *Bylaws* on February 10, 2020.

SP.20.29, Resolution to Maintain Certain Senate Operations During the COVID-19 Pandemic

As the COVID-19 pandemic developed, prohibitions against gatherings of large groups prevented the Senate and its committees from meeting in person. While other university activities moved to telecommuting and virtual meetings to continue their work remotely,

the Senate was faced with the facts that 1) *Robert's Rules of Order Newly Revised* advises that organizations explicitly stipulate procedures for conducting meetings and votes online in its *Bylaws*; 2) that the *Bylaws* offer no such provisions for the Senate or its committees to properly conduct business online; and 3) an in-person meeting of the Senate was required to amend the *Bylaws* to allow online meetings to conduct Senate business. These set of facts led to what became known as a “bootstrapping problem” that hindered the Senate from properly conducting Senate business in a time when it was crucial the Senate be able to do so.

To ameliorate, but not solve, this “bootstrapping problem”, SP presented a resolution to the Senate that expressed the intent of the Senate that contained four major points. First, the resolution expressed that the Senate intended to conduct Senate business via online meetings during the stay-at-home orders. Second, the resolution acknowledged that the Senate Executive Committee (SEC) could use the principles of Part D.1.e of the *Bylaws* to gather input and act on the Senate’s behalf while the stay-at-home order remained in effect, and that the SEC had already begun exercising such powers. Third, the resolution affirmed the Senate’s intent to reconsider any measure passed during an online Senate meeting as a consent agenda item at the next in-person meeting of the Senate. Lastly, the resolution committed SP to propose revisions to the *Bylaws* that would explicitly permit online Senate meetings to conduct business, lay out procedures for such meetings, and limit the circumstances in which they could be exercised. The Senate approved this resolution at its online meeting on April 27, 2020.

II. ITEMS REMOVED FROM THE AGENDA

SP.18.05, Revisions to the *Bylaws*, Part E.2 – Faculty Advisory Committee (pending approval of SP.15.13)

The approval of SP.15.13 (General Revisions to the *Statutes* Motions #4 and #5) by the Board of Trustees would create a mismatch between the *Statutes* and the *Bylaws*. The proposed revisions in SP.18.05 would align the language regarding the Faculty Advisory Committee in our *Bylaws* with the *Statutes*. The item was removed from the agenda until such time as SP.15.13 or its equivalent is passed by the Board.

SP.20.01, Proposed Revisions to the *Constitution*, Article II, Section 10; Article IV, Section 8; Article V, Sections 1-2, and Revisions to the *Bylaws*, Part B.5 – reference to the University of Illinois at Chicago College of Medicine at Urbana-Champaign

The creation of the Carle Illinois College of Medicine and changing status of the University of Illinois at Chicago College of Medicine at Urbana-Champaign will require the Senate to clarify some references in its *Constitution* and *Bylaws*. The item was removed because changes in the relationship of these bodies have not yet concluded.

SP.20.26, Call for Volunteers to Serve as Parliamentarian

This has been accomplished. The parliamentarians are H. George Friedman, Brian Gaines, and Jeffrey Stein.

III. ITEMS UNDER CONSIDERATION BY THE COMMITTEE

SP.18.15, Senate Handbook

SP is in the process of creating a handbook about the Senate's bodies, processes, and documentation to be used to orient senators.

SP.19.15, Proposed Revisions to the *Statutes*, Article IV, Section 2 – Department Organized with a Chair, Section 3 – Department Organized with a Head, and Section 4 – Change of Departmental Organization

Proposed revisions to the *Statutes*, Article IV, Sections 2 and 3, recommend that on the appointment of a new department chair or department head, a committee that is selected by the executive committee (for a chair) or by the advisory committee (for a head) and approved by a vote of the faculty of the department shall advise the dean. The proposed revisions, furthermore, put current items in a more logical, consistent, and coherent order and raise the prominence of items pertaining to the preparation of the departmental budget, while retaining the distinction between a chair and a head. Other proposed revisions make items in those sections parallel.

The proposed revision to Article IV, Section 4 adds the appointment of a new department chair or head to the occasion when the administrative organization of the department may be changed from a chair to a head or from a head to a chair.

SP.20.05, Revision to the *Bylaws*, Part D.8 – Senate Committee on Educational Policy and *Standing Rule 13* – Formation, Termination, Separation, Transfer, Merger, Change in Status, and Renaming of Units

Responding to the Report of the Eighth Senate Review Commission (XSR.19.01), the Senate Committee on Educational Policy considered the *Bylaws*, Part D.8 and *Standing Rule 13* pertaining to the committee. SP's discussion of the suggested revisions will be carried over to the 2020-2021 academic year.

SP.20.06, Revision to the *Bylaws*, Part D.1 – Senate Executive Committee

Responding to the Report of the Eighth Senate Review Commission (XSR.19.01), the Senate Executive Committee (SEC) proposed revisions to clarify its duties and membership.

SP.20.07, Revision to the *Bylaws*, Part E (Governing and Advisory Bodies) and Part F (Senate Representatives to Other Bodies)

Responding to the Report of the Eighth Senate Review Commission (XSR.19.01), SP will review the *Bylaws*, Part E and Part F to determine who is responsible for overseeing the duties/charges for each body and the relationship of each body to the Senate.

SP.20.15, Revision to the *Bylaws*, Part D.4 – Committee on the Budget

Responding to the Report of the Eighth Senate Review Commission (XSR.19.01), the Senate Committee on the Budget (BG) proposed revisions to clarify its duties in relation to changes in the new campus budget model.

SP.20.16, Revision to the *Bylaws*, Part D.3 – Committee on Admissions

Responding to the Report of the Eighth Senate Review Commission (XSR.19.01), the Senate Committee on Admissions (AD) proposed revisions to update the statement of its duties and practices.

SP.20.17, Revision to the *Bylaws*, Part A – Meetings (Presiding at Senate Meetings)

Responding to the Report of the Eighth Senate Review Commission (XSR.19.01), SP is considering the most appropriate presiding officer for the Senate.

SP.20.18, Revision to the *Bylaws*, Part D.7 – Conference on Conduct Governance

Responding to the Report of the Eighth Senate Review Commission (XSR.19.01), the Conference of Conduct Governance (CCG) proposed revisions to clarify its role in reviewing the Student Code.

SP.20.20, Revision to the *Bylaws*, Part D.17 – Committee on Student Discipline

Responding to the Report of the Eighth Senate Review Commission (XSR.19.01), the Senate Committee on Student Discipline (SD) proposed revisions to clarify its duties and membership and make substantial changes to its charge and membership requirements.

SP.20.22, Revision to the *Bylaws*, Part D.14 – Committee on Information Technology

Responding to the Report of the Eighth Senate Review Commission (XSR.19.01), the Senate Committee on Information Technology (IT) proposed revisions to clarify its duties and add two *ex officio* member designees.

SP.20.23, Proposed Revisions to the *Statutes*, Article I, Section 5 – Chancellors and Vice Presidents, and Article III, Section 1 – The Campus

The *Statutes* specify that at least once every five years, there shall be performance evaluations of the dean of a college (Article III, Section 3b), the department chair (Article IV, Section 2a), the department head (Article IV, Section 3a), and the campus librarian (Article VI, Paragraph e). Performance evaluations of the vice chancellor for academic affairs and the chancellor/vice president, however, are not specified. Given the importance of this evaluation to each unit of the University, SP intends to propose adding to the *Statutes* a requirement for such an evaluation of the vice chancellor for academic affairs and the chancellor/vice president at least once every five years in a manner to be determined by the senate of the university.

SP.20.24, Revision to the *Bylaws*, Part D.15 – Committee on the Library

Responding to the Report of the Eighth Senate Review Commission (XSR.19.01), the Senate Committee on the Library (LB) proposed revisions to clarify its duties and terms of membership, also clarifying the process for the periodic review of the university librarian.

SP.20.25, Revision to the Senate Governing Documents Regarding Emergencies

The experience of dealing with the COVID-19 emergency has shown the need for the Senate *Constitution* and *Bylaws* to provide for dealing with such emergencies. This includes the

definition of what situations constitute an emergency (e.g., declaration by the President of the United States, the Governor of Illinois, or the President of the University of Illinois System). It also includes the definition of any powers and authorities delegated to the Senate Executive Committee or to other Senate committees during such an emergency. Outside of emergencies, there is a need for the Senate's governing documents to provide for electronic participation in meetings of the Senate and Senate committees, which is currently completely absent from those documents. This effort will be carried over to the 2020-2021 academic year.

SP.20.28 Revision to the *Bylaws*, Part D.11 – Committee on Faculty and Academic Staff Benefits

Responding to the Report of the Eighth Senate Review Commission (XSR.19.01), the Senate Committee on Faculty and Academic Staff Benefits proposed revisions to clarify its membership.

SP.20.30, Revision to the *Bylaws*, Part A – Meetings

The *Statutes*, Article XIII, Section 5 states that “Unless otherwise specified by a deliberative body of the University, the latest revision of *Robert’s Rules of Order* shall govern.” As a deliberative body, the Senate follows the latest edition of *Robert’s Rules of Order Newly Revised* (RONR) when procedures are not specified in the *Constitution*, *Bylaws*, or *Standing Rules* of the Senate. The proposed revision to the *Bylaws* will clearly state this practice of following RONR.

SP.20.31, Revision to the *Bylaws*, Part D.10 – Committee on Equal Opportunity and Inclusion

Responding to the Report of the Eighth Senate Review Commission (XSR.19.01), the Senate Committee on Equal Opportunity and Inclusion proposed revisions to clarify its duties.

SP.20.32, Proposed Revisions to the *Statutes*, Article X, Section 1 (Tenure of Academic Staff)(a)6 and 7 – to permit the use of five-year appointments for non-tenure track faculty

On May 1, 2020, a proposed set of changes to the *Statutes* that would permit the use of five-year appointments for non-tenure-track faculty (currently limited to three-year appointments), passed initially by the Chicago Senate, was transmitted via the University Senates Conference. SP will carry this item over to the 2020-2021 academic year.

UNIVERSITY STATUTES AND SENATE PROCEDURES

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