

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

SP.22.08 2021-2022 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 2021-2022 academic year. SP met on August 30, September 13, September 27, October 11, October 25, November 8, November 15, November 29, December 13, January 18, February 1, February 15, March 1, March 22, March 29, April 5, April 19, and May 3. More detailed information is provided in the minutes of those meetings.

I. **ITEMS APPROVED BY SENATE**

SP.19.15, Proposed Revisions to the *Statutes*, Article IV, Section 1 – The Department, Section 2 – Department Organized with a Chair, Section 3 – Department Organized with a Head, and Section 4 – Change of Departmental Organization

Proposed revisions to Article IV add the stipulation that academic appointments in a department shall be made with prior recommendation of the faculty (Section 1); that prior to the initial appointment of a department chair (Section 2) or department head (Section 3), a committee selected by the faculty of the department shall advise the dean on the appointment; and that prior to the initial appointment of a department executive officer, the department faculty shall decide by secret written ballot whether the newly-appointed executive officer should serve as head or as chair, i.e. whether a change to the administrative organization of the department is desired (Section 4).

Proposed revisions to Sections 2 and 3 stipulate that the chair of the executive committee or advisory committee be chosen by and from elected members and that the department chair or head be a member of the committee *ex officio*, that the executive committee advise on the annual appointment of the chair and that the performance of the chair now be evaluated formally at least once every five years, and that the performance of the head now be reviewed annually.

The Senate voted to concur with the revisions to the *Statutes* in SP.19.15 as amended on March 7, 2022, through a floor amendment to remove restrictive language on the make-up of advisory committees. SP will consider any further recommendations on the make-up of advisory committees under a new item number in the 2022-2023 academic year.

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 (EP) proposed changes to the *Bylaws*, Part D.8 and *Standing Rule 13*, with the goal of incorporating key provisions of *Standing Rule 13* into a clarified charge to EP in the *Bylaws*. Throughout 2020 and 2021, EP and SP coordinated regularly, consulted with the Council of Deans and Office of the Provost, and reworked SP.20.05 into a new proposal based on input from all parties involved.

This new version of SP.20.05 clarified the Senate’s charge to EP and consolidated most of *Standing Rule 13* into the *Bylaws*. These revisions included opening provisions regarding “legislative jurisdiction” with clear statutory references, followed by reorganized “duties,” and a new “process” section, added to spell out the range of EP’s activities and some contingencies that might arise as EP considers various proposals. Further, EP’s membership was updated to include the Assistant Provost for Educational Innovation as an *ex officio* member.

Because this proposed language would eliminate one of the Senate’s *Standing Rules*, SP recommended that the Senate follow the previously adopted convention (per SP.20.03) of retaining the Rule number and title in our Senate documentation, followed by “Struck by the Senate on [date] by SP.20.05.” The Senate approved the revisions to the *Bylaws* and *Standing Rules* on March 7, 2022.

SP.20.23, Proposed Revisions to the *Statutes*, Article I, Section 5 – Chancellors and Vice Presidents, Article II, Section 3a(1) – Faculty Role in Governance, and Article III, Section 1g – The Campus

Proposed revisions to Article 1, Section 5 stipulated that the chancellor/vice president shall be appointed annually after confidential consultation with the executive committee of the senate. They further stipulated that prior to the initial appointment of the chancellor/vice-president, a committee selected by the senate shall advise the president on the appointment and that the performance of the chancellor/vice president shall be evaluated formally at least once every five years.

Proposed revisions to Article II, Section 3a(1), added department chairs and heads to director or dean of an academic unit, provost or equivalent officer, chancellor/vice president, and president in the direct line of responsibility for academic affairs.

Proposed revisions to Article III, Section 1g, stipulated that vice chancellor/vice president shall be appointed annually after confidential consultation with the executive committee of the senate. They further stipulated that prior to the initial appointment of the vice chancellor for academic affairs and provost, a committee selected by the senate shall advise the chancellor/vice president on the appointment and that the performance of the vice

chancellor for academic affairs and provost shall be evaluated formally at least once every five years.

The Senate voted to concur with the revisions to the *Statutes* in SP.20.23 as amended on November 15, 2022, through a floor amendment to remove the expansive language by which the senate is consulted confidentially about the annual appointment of the chancellor/vice president and of vice chancellors.

SP.21.09, Revision to the *Bylaws*, Part F.5 (Evaluation of the Chancellor)

At its November 12, 2020 meeting, the University of Illinois Board of Trustees approved a package of revisions to the *Statutes*, ST-77 (previously appearing before our Senate as SP.19.01), which included revisions to Article I provisions that govern the review of University Chancellors, specifying a periodic “formal review” process distinct from the routine annual review of the chancellors. At its February 8, 2021 meeting, the Senate approved SC.21.08, a resolution designed to address this new formal review step and provide for future formal reviews of the Chancellor, directing SP to propose modifications to the Senate’s governing documents.

SP identified passages in the *Bylaws*, Part F.5 that would allow the Senate to specify a committee for this formal review process. The Senate approved the revision to the *Bylaws* on October 18, 2021.

SP.21.10, Revision to the *Bylaws*, Part D.1.c – Senate Executive Committee, Membership

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, ultimately approved by the Senate as SP.20.06 and SP.21.01. During the Senate’s deliberations on SP.20.06, it was noted that the Senate would benefit from a Committee of the Whole discussion on the membership of the SEC to gather Senate input about whether SP should pursue any changes to the membership of the SEC, as provided in the *Bylaws*, Part D.1.c.1. SP.21.10 served as the guiding document for the initial Committee of the Whole discussion conducted during the April 26, 2021 Senate meeting.

Based on the Committee of the Whole discussion, SP proposed revisions to the *Bylaws* D.1 to add seats on the SEC for both the chair of the Committee on Academic Freedom and Tenure and the chair of the Committee on Diversity, Equity, and Inclusion; specify seats for the Student Body Vice President and the Speaker of the Senate of the Illinois Student Government as well as two other student seats (for a total of four students on SEC); clarify the role of the representative to the University Senates Conference; and move elections language to a new section. The Senate approved the revision to the *Bylaws* on April 25, 2022.

SP.21.11, Proposed Revisions to the *Constitution*, Article VI, Section 7 and the *Bylaws*, Parts A.1-9, B.1-5, and D.1.c.1 (Presiding Officer)

Responding to the Report of the Eighth Senate Review Commission (XSR.19.01), both SP and the Committee on General University Policy (GP) discussed the most appropriate person to preside over Senate meetings, resulting in SP.20.17. Both committees determined that the Senate Executive Committee (SEC) Chair or the Chair's designee should serve as the presiding officer of Senate meetings. SP presented this revision to the *Bylaws*, Part A as SP.20.17, which was passed by the Senate at its November 16, 2020 meeting. During its deliberations, SP considered an additional possible option for the presiding officer of the Senate: an elected Speaker of the Senate. The Eighth Senate Review Commission noted a Speaker as a potential option, but SP determined that moving to a Speaker model would require some time and attention to the Senate's governing document. To gather input from the Senate on whether SP should continue pursuing a Speaker of the Senate model, SP.21.11 served as the guiding document for an initial Committee of the Whole discussion conducted during the April 26, 2021 Senate meeting.

Based on the Committee of the Whole discussion, SP proposed revisions to the *Constitution* and the *Bylaws* to specify a new elected position, the Presiding Officer of the Senate. The Presiding Officer would play a limited role, including presiding over senate meetings and helping set senate agendas. The Senate approved the revisions to the *Constitution* and the *Bylaws* on April 25, 2022; as changes to the *Constitution* must be approved by the Board of Trustees, changes to both documents will go into effect only on Board approval.

SP.22.05, Revision to the *Bylaws*, Part D.20.b – Committee on University Student Life

The Senate Committee on Student Life proposed a revision to the *Bylaws* D.10 to shift which office nominates the international student who serves on the committee from the office of International Student and Scholar Services to the Office of Inclusion and Intercultural Relations. The Senate approved the revision to the *Bylaws* on April 25, 2022.

SP.22.06, Revision to the *Bylaws*, Part D.5.b – Committee on Campus Operations

The Senate Committee on Campus Operations proposed a revision to the *Bylaws* D.5, to add the newly created Vice Chancellor for Administration and Operations, or the Vice Chancellor's designee as an *ex officio* member of their committee. The Senate approved the revision to the *Bylaws* on April 4, 2022.

II. ITEMS REMOVED FROM THE AGENDA

SP.22.04, Proposed Revisions to the *Statutes*, Nondiscrimination Statement

The State of Illinois Human Rights Act (775 ILCS 5/2-103) was amended in 2021 to include "arrest record" as a protected class, effective August 2021. SP recommended adding "arrest record" to the Nondiscrimination Statement in the University *Statutes*, along with some rephrasing, in SP.22.04, which it sent to the Senate on April 4, 2022. Subsequently, SP was made aware by the President's Office that University Counsel cautioned against this insertion, as "arrest record" functions differently than the other terms in the Nondiscrimination Statement. At its April 25, 2022 meeting, the Senate voted to return

SP.22.04 to SP for further study. SP subsequently removed the item from its agenda, determining that the change in state law is currently covered in the Nondiscrimination Statement in the *Statutes*, which directs the University of Illinois System to “comply with all federal and state nondiscrimination, equal opportunity and affirmative action laws, orders and regulations.”

SP.22.07, Call for Volunteers to Serve as 2022-2023 Parliamentarians

This has been accomplished. The parliamentarians are H. George Friedman, Brian Gaines, and Kaamilyah Abdullah-Span.

III. ITEMS UNDER CONSIDERATION BY THE COMMITTEE

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. This effort will be carried over to the 2022-2023 academic year.

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 2022-2023 academic year.

SP.21.05, Revision to the *Bylaws*, Part D.7 – Conference on Conduct Governance

In the final stages of reviewing SP.20.18, the Conference on Conduct Governance (CG) suggested that it would be clearer and more consistent with Senate nomenclature to change its name to make its work clearer to outside parties. CG and SP have coordinated on a new proposal that would better specify the Senate's charge to CG. SP will continue to consider this proposal into the 2022-2023 academic year.

SP.22.01, Proposed Revisions to the *Statutes* (USC ST-83)

The University Senates Conference transmitted a comprehensive package of potential revisions to the University *Statutes* (ST-83) to the senates on September 2, 2021, along with a transmittal letter containing an overview of key changes, and an explanatory document concerning the proposed restructuring of Articles IX and X of the *Statutes*. The Senate Executive Committee promptly directed ST-83 to SP, where it was designated SP.22.01. SP reviewed this package of proposed changes, noting complications from the proposed

revisions around the terms “faculty” and “staff” along with the removal of “academic staff” throughout the *Statutes*. The latter term, “academic staff,” became the basis of the academic freedom language via ST-72, which was approved by the Board of Trustees.

To further examine these issues, SP established a subcommittee to review the major potential changes to Article II of the *Statutes*, and in November 2021 referred portions of the package to three subject matter bodies: the Faculty Advisory Committee, the Council of Academic Professionals, and the Senate Committee on Academic Freedom and Tenure. At the time of this report, only the Faculty Advisory Committee has fully responded; the other bodies continue to consider the matters before them. SP will continue to consider this proposal into the 2022-2023 academic year.

SP.22.02, Revision to the *Bylaws*, Part A.3 and *Standing Rule 14* – Setting the Agenda for Senate Meetings

The Senate Executive Committee (SEC) recommended SP review the *Bylaws*, Part A.3 and *Standing Rule 14*, which direct how business items, including proposals from Senate committees and resolutions from senators, are placed on Senate agendas by the SEC. Currently, under *Standing Rule 14*, the SEC may delay an item of business only in narrow circumstances, though it is given the option to do so. The proposed changes to the *Bylaws* and *Standing Rules* would clarify how the SEC may act in setting agendas, as well as how sponsors of proposals and resolutions are included in that process. SP will continue to consider this proposal into the 2022-2023 academic year.

SP.22.03, Proposed Revisions to the *Constitution*, Article VI, Section 9 (Senate review) and the *Bylaws*, Part D.1.a – Senate Executive Committee Duties

Responding to the Report of the Eighth Senate Review Commission (XSR.19.01), the Senate Executive Committee (SEC) recommended adding clarifying language to the directive in the *Constitution* to perform a periodic review of the Senate. The SEC also recommended adding a duty to their portion of the *Bylaws* that would ensure the findings made by the commission performing the periodic review are responded to or implemented in a timely manner. SP will continue to consider this proposal into the 2022-2023 academic year.

UNIVERSITY STATUTES AND SENATE PROCEDURES

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