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 Administrative Organization

BACKGROUND
Currently, Statutes Article IV (Departments), Sections 1 (The Department), 2 (Department Organized with a Chair), 3 (Department Organized with a Head), and 4 (Change of Departmental Administrative Organization), especially Sections 2 and 3, are unclear, incoherent, not parallel, and generally confusing. Proposed revisions put current items, all of which have been retained or revised, into a more logical, consistent, and coherent order; and strengthen shared governance in academic and research matters that directly affect faculty.

The department is the primary unit of education and administration (Statutes, Article IV, Section 1a). A proposed change in Section 1a would provide an additional opportunity for faculty participation. Specifically, any academic appointment in a department would be made with the prior recommendation by the faculty.

A department may be organized administratively either with a chair or with a head (Section 1c). Current Statutes provide for the annual appointment of a chair (Section 2a) and for the appointment of a head (Section 3a) without specified term, but do not provide a consultative process for the initial appointment of a chair or head.

Proposed changes to Sections 2 and 3, therefore, would provide an opportunity to strengthen shared governance and promote diverse representation. Specifically, proposed changes in the initial appointment of a chair (Section 2) or head (Section 3) would require the dean to seek advice of a committee selected by the faculty of the department. These changes align with the current procedure for the initial appointment of a chancellor/vice president, in which a committee is selected by the senate to advise the president (Statutes, Article I, Section 5). Similar to that procedure, and to the recently senate-approved proposal regarding the initial appointments of a dean, director, and campus librarian (SP.19.14), this proposal does not specify the composition of the search advisory committee or the advisory process. Instead, it provides an opportunity for faculty from the department to participate in the search carried out by the dean, which typically involves other interested parties.

Other proposed changes to Sections 2 and 3 would provide transparency to avoid potential conflicts of interest. Specifically, a) the chair or head of the department would continue to be
an *ex officio* member of the departmental executive or advisory committee, but not chair that committee; rather, the chair of the committee would be chosen by and from elected members (Sections 2 and 3); b) the executive committee would advise on the annual appointment of the chair (Section 2); c) the performance of the head would be reviewed annually, to align with the annual review of the chair, while still being evaluated formally at least once every five years (Section 3).

A proposed change to Section 4 would provide another opportunity for faculty to vote on a change of the administrative organization of the department. Specifically, the revision would add the initial appointment of a department chair or head to the circumstances in which the administrative organization of the department may be changed from a chair to a head or from a head to a chair.

These proposed revisions first appeared before the Senate at its October 19, 2021 meeting. At the November 15, 2021 Senate meeting, concerns were raised about the language in Article IV, Section 4, which establishes the procedures that govern how a department might change its administrative organization from a head to a chair, or vice versa. The Senate voted to return this item to SP for revisions. SP returned with clarified language for the Senate’s consideration at its February 7, 2022 meeting, and received additional comments, which have been addressed via minor changes to the recommended language.

**RECOMMENDATION**
The Senate Committee on University Statutes and Senate Procedures recommends approval of the following revisions to the *Statutes*, Article IV, Sections 1-4.

Text to be deleted is *struck through* and text to be added is *underscored*.

**PROPOSED REVISIONS TO THE *STATUTES*, ARTICLE IV, SECTIONS 1-4**

1 **ARTICLE IV. DEPARTMENTS**
2 **Section 1. The Department**
3 a. Within the University of Illinois System, the department is the primary unit of education and administration. It is established for the purpose of carrying on *conducting* programs of instruction, research, and public service in a particular field of knowledge. The staff of a department includes persons *individuals* of all ranks who, upon the recommendation of *by* its chair or head or chair, are appointed or assigned to it. The faculty of a department shall be as specified in Article II, Section 3a of these *Statutes*. All appointments which *carry* academic rank, title, or tenure indicative in any way of departmental association shall be made only with the concurrence *prior recommendation of* *by* the department(s) concerned *faculty*. 
b. The department has the fullest measure of autonomy consistent with the maintenance of general college and university educational policy and of correct academic and administrative relations with other divisions of the university. Should a dispute arise between the department and another unit of the university concerning the proper limits of this autonomy, then the department may appeal for a ruling directly to the dean and the executive committee of the college and, when the chancellor/vice president considers it proper, to the chancellor/vice president, who shall make a decision after appropriate consultation with interested parties.

c. A department may be organized either with a chair or with a head. A reorganization of the administration structure of a department from a chair to a head, or a head to a chair, may be accomplished only by Section 4 of this Article.

Section 2. Department Organized with a Chair

a. The chair shall be appointed annually by the Board of Trustees on recommendation of the chancellor/vice president, with the concurrence of the president, after confidential consultations with the dean of the college, and with the executive committee of the department, and the faculty of the department concerned. Prior to the initial appointment of a department chair, a committee that is selected by the faculty of the department, according to its bylaws, shall advise the dean on the appointment. The performance of the chair shall be evaluated formally at least once every five years in a manner to be determined by department, school, or college bylaws. As one component of this evaluation, views shall be solicited from the entire department faculty in such a way as to preserve confidentiality. The chair may be relieved of title and duties as chair of the department by the chancellor/vice president on recommendations by the dean of the college and the executive committee of the department.

d. In each department organized with a chair, there shall be an executive committee elected annually by and from the faculty of the department by secret written ballot. At least one-half of the members of the departmental executive committee shall be elected from those faculty members who have at least a 50-percent salaried appointment in the University of Illinois system. The faculty may choose to elect members of the executive committee for staggered two- or three-year terms. The chair of the department is ex officio a member and
chair of the executive committee. The chair and the executive committee are responsible for
the preparation of the budget and for such matters as may be delegated to them by the faculty
of the department. In a department which has a faculty of not more than five members,
the executive committee shall consist of the entire faculty. In all other cases, the size of the
executive committee shall be determined by the faculty of the department. The faculty of the
department shall determine the size of the executive committee. The faculty may choose to
elect members of the executive committee for staggered two- or three-year terms. A chair of
the committee shall be chosen by and from elected members by secret written ballot. The chair
of the department is an *ex officio* member of the executive committee. If the executive
committee is in session to advise on the initial or annual appointment of the chair of the
department or to evaluate formally the chair’s performance, the chair shall not be a member
and the committee shall be chaired by a committee member elected by the committee for that
purpose.

The functions of the executive committee shall be to provide for the orderly voicing of
suggestions for the good of the department, to recommend procedures and committees that
will encourage faculty participation in formulating policy, and to perform such other tasks as
may be assigned to it. Any member of the executive committee may request the chair of the
committee to convene a meeting on any matter properly within its purview. Any faculty
member shall be entitled to a conference with the executive committee or with any member of
the committee on any matter properly within its purview.

e(3) c. The chair shall collaborate with the executive committee in the preparation of to prepare
the departmental budget. The chair shall be responsible for the distribution and expenditure of
departmental funds for purposes approved by the executive committee, and for the care of
departmental property.

e. d. In each department organized with a chair, that officer The chair shall be responsible for
the formulation and execution of departmental policies and for the execution of system,
university, and college policies, insofar as they affect the department. The chair shall have the
power to act independently in such matter as are delegated to the chair by the executive
committee. The chair and the executive committee are responsible for the organization and
general direction of the work of the department, and for the quality and efficient progress of
that work. The faculty may delegate to the chair other such matters for which the chair shall be
responsible. The executive committee may delegate to the chair such matters for which the
chair shall have the power to act independently.

The chair shall (1) report on the teaching and research of the department; (2) have general
oversight of the work of students in the department; (3) collaborate with the executive
committee in the preparation of the budget and be responsible for the expenditure of
departmental funds for the purposes approved by the executive committee; and (4) call and
preside at meetings of the executive committee and at meetings of the department faculty of
which there shall be not fewer than one in each academic year for consideration of questions of
departmental governance and educational policy. (1) represent the department in all matters
pertaining to it; (2) consult with the departmental executive committee in regard to
departmental policy; (3) consult with each member of the department regarding the nature and
scope of the work in the charge of that member; (4) report on the teaching and research of the
department; (5) have general oversight of the work of students in the department; and (6) call
and preside at meetings of the department faculty, for explanation and discussion of
departmental policies, educational procedure, and research, of which there shall be at least one
in each academic year for consideration of questions of departmental governance and
educational policy. The chair together with the executive committee is responsible for the
organization of the work of the department and for the quality and efficient progress of that
work. Any faculty member shall be entitled to a conference with the executive committee or
with any member of it on any matter properly within the purview of the committee.

f. e. In the administration of the office, the chair shall recognize the individual responsibility
of other members of the department for the discharge of the duties committed to them
by their appointments and shall allow proper scope to the ability and initiative of all members of the department.

b. f. In each department organized with a chair, the executive committee shall recommend
to the chair individuals for academic appointment in the department. With the consent of the
executive committee or as specified in the department bylaws, the chair may invite persons
individuals who are not members of the department faculty may be invited by the chair to
attend meetings of the department faculty, but such individuals shall have no vote.
The faculty’s of the department shall have the power to determine such matters as
authority is limited to matters as do not so affect relations with other
departments or colleges that they properly come under the supervision of larger administrative units.

Section 3. Department Organized with a Head

a. The head of a department shall be appointed without specified term by the Board of Trustees
on recommendation by the chancellor/vice president, with the concurrence of the president,
after confidential consultations with the dean of the college, and all members the advisory
committee of the department, and the faculty of the department concerned. Prior to the initial
appointment of a department head, a committee that is selected by the faculty of the
department, according to its bylaws, shall advise the dean on the appointment. The head may
be relieved of title and duties as head of the department by the chancellor/vice president on
the recommendation of the dean of the college. The performance of the head shall be reviewed
annually and evaluated formally at least once every five years in a manner to be determined by
department, school, or college bylaws. As one component of the formal evaluation, views shall
be solicited from the entire department faculty in such a way as to preserve confidentiality. The
head may be relieved of title and duties as head of the department by the chancellor/vice
president on recommendations by the dean of the college and the advisory committee of the
department.

b. In each department organized with a head, there shall be an advisory committee
elected annually by and from the faculty of the department by secret written ballot. The
department faculty may choose to elect members of the advisory committee for staggered two-
or three-year terms. In a department which has a faculty of not more than five members,
the advisory committee shall consist of the entire faculty. In all other cases, the size of the
advisory committee shall be determined by the faculty of the department. The faculty of the
department shall determine the size of the advisory committee. The faculty may choose to
elect members of the advisory committee for staggered two- or three-year terms. The functions
of the committee shall be to provide for the orderly voicing of suggestions for the good of the
department, to recommend procedures and committees that will encourage faculty
Any faculty member shall be entitled to a conference with the advisory committee or with any member of it on any matter properly within the purview of the committee. A chair of the committee shall be chosen by and from elected members by secret written ballot. The head of the department is an *ex officio* member of the advisory committee. If the advisory committee is in session to advise on the initial appointment or the annual review of the head of the department or to evaluate formally the head’s performance, the head shall not be a member and the committee shall be chaired by a committee member elected by the committee for that purpose.

The functions of the advisory committee shall be to provide for the orderly voicing of suggestions for the good of the department, to recommend procedures and committees that will encourage faculty participation in formulating policy, and to perform such other tasks as may be assigned to it. Any member of the advisory committee may request the chair of the committee to convene a meeting on any matter properly within its purview. Any faculty member shall be entitled to a conference with the advisory committee or with any member of the committee on any matter properly within its purview.

d(7, 8) c. The head shall consult with the advisory committee to prepare the departmental budget in consultation with the departmental advisory committee. The head shall be responsible for the distribution and expenditure of departmental funds, in accordance with the general purposes established by the advisory committee, and for the care of departmental property.

d. In each department organized with a head, the head shall have general direction of the work of the department. The head shall be responsible for the formulation and execution of department policies and for the execution of system, university, and college policies, insofar as they affect the department. The head, in consultation with the faculty, is responsible for the organization and general direction of the work of the department, and for the quality and efficient progress of that work. The faculty may delegate to the head other such matters for which the head shall be responsible. The advisory committee may delegate to the head such matters for which the head shall have the power to act independently.
The head shall (1) represent the department in all matters pertaining to it; (2) consult with the departmental advisory committee in regard to departmental policy; (3) consult with each member of the department regarding the nature and scope of the work in the charge of that member; (4) call and preside at meetings of the departmental faculty for explanation and discussion of departmental policies, educational procedure, and research, of which there shall be at least one in each academic year for consideration of departmental governance and educational policy; (4) be responsible for the organization of the work of the department, for the quality and efficient progress of that work, for the formulation and execution of departmental policies, and for the execution of University and college policies insofar as they affect the department; (5) report on the teaching and research of the department; (6) have general oversight of the work of students in the department; and (6) call and preside at meetings of the departmental faculty, for explanation and discussion of departmental policies, educational procedure, and research, of which there shall be at least one in each academic year for consideration of departmental governance and educational policy. (7) prepare the departmental budget in consultation with the departmental advisory committee; and (8) be responsible for the distribution and expenditure of departmental funds and for the care of departmental property.

e. In the administration of the office, the head shall recognize the individual responsibility of other members of the department for the discharge of the duties committed to them by their appointments and shall allow proper scope to the ability and initiative of all members of the department.

b. In each department organized with a head, the head in consultation with the advisory committee shall recommend individuals for academic appointment in the department. In consultation with the advisory committee, or as specified in the department bylaws, the head may invite other persons who are not members of the department faculty to attend meetings of the department faculty, but such persons shall have no vote.

c. The head’s authority is limited to matters that do not affect other departments or properly come under the supervision of larger administrative units.
Section 4. Change of Departmental Administrative Organization

Prior to the initial appointment of a department chair or department head, or on the written request of at least one-fourth of the faculty of the department, as defined in Article II, Section 3a(1), and in no case fewer than two faculty members, that the form of the administrative organization of the department be changed from a chair to a head, or a head to a chair, the dean shall call a meeting to poll the departmental faculty by secret written ballot whether the form of the administrative organization of the department should be changed from a chair to a head or from a head to a chair. The names of those making the request shall be kept confidential by the dean. The dean shall transmit the results of the vote to approve or disapprove a change, along with the dean’s own recommendation, to the departmental faculty and to the chancellor/vice president together with the dean’s recommendation. If a change of administrative organization is voted approved by the departmental faculty, the chancellor/vice president shall thereupon further transmit this the results of the vote of the faculty along with the recommendations of by the dean and of the chancellor/vice president to the departmental faculty and to the president for recommendation to the Board of Trustees. Faculty of the department may communicate with the Board of Trustees with regard to the vote to change the administrative organization of the department, in accordance with Article XIII, Section 4d of these Statutes.