SP.23.03 Committee of the Whole Discussion Regarding Potential Revisions to the Statutes, Article II (as initiated by USC ST-83)

BACKGROUND
In September 2021, the University Senates Conference (USC) transmitted a large package of proposed revisions to the University Statutes (ST-83) to the three University Senates, along with a transmittal letter and explanatory document. Per the Statutes, Article XIII, Section 8.a.2, proposed amendments to the Statutes initiated by the USC are then considered by each Senate, which “may act on the proposed amendment[s] in accord with its own established procedures, including the right to concur, to modify, or to reject any proposed amendment or proposed statutory text.” Our Senate Committee on University Statutes and Senate Procedures (SP) has thus considered ST-83 (as SP.22.01), sending portions of these proposed changes to three subject-matter bodies for their input and identifying four significant areas on which the Committee would like the Senate’s input:

1. **SP.23.03**: Potential changes to Article II, including definitions of “faculty” and “staff,” clearer inclusion of non-tenure-track faculty, and distinctions about “administrative” and “academic” work;
2. **SP.23.04**: Restructuring Articles IX and X to better align the contents of each;
3. **SP.23.05**: The proposed elimination of the category of “academic staff” throughout the Statutes and the impacts of this change, including on the academic freedom provisions in Article X;
4. **SP.23.06**: Changes that may impact academic professionals and additional governance matters.

Senate discussion on these aspects of ST-83/SP.22.01 will inform SP’s work on this package of prospective changes, which will be brought to the Senate for a full discussion and vote or votes in the future.

SP welcomes input on the proposed changes to Article II of the Statutes. To this end, SP has prepared an additional set of revisions beyond those transmitted in ST-83, appended below, which are provided for discussion and further revision. These prospective changes would introduce the definitions “unit,” “faculty,” and “staff,” then move to matters of governance and governance bodies.
Some questions that might guide the Senate's consideration:

- Are the definitions of “faculty” (Section 2) and “staff” (Section 3) sufficiently clear?
- Should the general use of “faculty” throughout Article II (and by extension the remainder of the Statutes) always include non-tenure-track faculty, unless otherwise specified?
- Are there any positions or titles that are not clearly defined?
- Do any of the potential revisions to Article II create problems or raise concerns that SP should be aware of?
- Are the roles of staff and students in governance adequately described?

Below are potential additional revisions to Article II of the University Statutes beyond those proposed in ST-83, and have been prepared by the Committee on University Statutes and Senate Procedures for discussion purposes only. Text to be deleted is struck through and text to be added is underlined. Comments related to structure are provided {in brackets}. Any future potential revisions presented to the Senate for approval will be introduced in a clear proposal.

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REVISION TO THE STATUTES, ARTICLE II

ARTICLE II. LEGISLATIVE ORGANIZATION-SHARED GOVERNANCE

Section 1. Definition of Academic Unit

a. Unit. For the purposes of Article VIII, a unit is a division of the system to which academic appointments can be made and to which resources can be allocated, including departments or similar units, centers, institutes, schools, and colleges. {moved from Article VIII, (Changes in Academic Organization), Sec. 1 (Definitions), a (Unit)}

An academic unit is a division of the University of Illinois System, including departments or similar units, schools, colleges, centers, and institutes, to which budgeted faculty can be appointed and to which resources can be allocated.

Section 1. Faculty Section 2. Definition of Faculty

a. Academic and administrative employees of the University of Illinois System can be divided into faculty and staff, which entails different roles, rights, and responsibilities. The tenure system faculty of the University of Illinois System consists of those members of any academic unit, except for the Graduate College, with the rank of professor, associate professor, or assistant professor who are tenured or on tenure-track (receiving probationary credit toward tenure), and those administrators in the direct line of responsibility for academic affairs (for example, persons who hold the title director or dean of an academic unit, provost or equivalent officer, chancellor/vice president and president). {rewritten as Sec 2. a. and b. below, with revisions}
a. Faculty members of the system have an academic appointment and may also have an administrative appointment, which different appointments imply different roles, rights, and responsibilities.

b. Faculty members have an academic appointment in one of two tracks: tenure-track, i.e., those who are tenured or in the probationary period toward tenure (pre-tenured), or non-tenure-track.

(1) Tenure-track faculty members in an academic unit, except the Graduate College, consist of those who have the unmodified rank of professor, associate professor, or assistant professor.

(2) Non-tenure-track faculty members in an academic unit, excluding those with an honorific appointment as defined in Section 4. d, who contribute to teaching, research, public engagement, or clinical activities, consist of

i. those who have the rank of professor, associate professor, or assistant professor, modified by the term “adjunct,” “clinical,” “research,” “teaching,” or “visiting;”

ii. those who have the rank of instructor or lecturer, unmodified or modified by the term “adjunct,” “senior,” or “visiting;” {from Sec 2. d. below} and

iii. those who have the rank of associate, modified by the term “adjunct,” “clinical,” “postdoctoral,” “research,” “teaching,” or “visiting.” {based on Article IX, Sec 2. g. (4)}

b.c. Faculty members holding administrative positions in the direct line of responsibility for academic affairs are designated as academic administrative leaders. Faculty members who have an administrative appointment in an academic unit as chair or head, dean or director, provost or equivalent officer, chancellor/vice president, or president are in the direct line of responsibility for academic affairs. Administrative staff members not in the direct line of responsibility for academic affairs are included only if they hold faculty appointments.

c. d. Emeritus/emerita status may be awarded by the Board of Trustees upon retirement from the University of Illinois System to faculty and to senior administrators with at least five years of service to the UI System as recognition of honorable service. The Board of Trustees may grant emeritus or emerita status upon retirement from the University of Illinois System to faculty members and to faculty members who were senior administrators and who served at least five years in the system, as recognition of honorable service.

Emeritus/emerita status may be granted prior to retirement for those who have served the University for at least five years as dean, provost, chancellor, or president and who resign such positions to return to the faculty. The Board of Trustees may also grant emeritus or emerita status prior to retirement to faculty members who also have administrative
appointments, who served at least five years in the direct line of responsibility for academic affairs, and who resigned such appointments to return to the faculty.

For faculty, recommendations for emeritus/emerita designation must be made by the employing department with the approval of the appropriate college dean, the chancellor, and the president. For faculty members, recommendations for emeritus or emerita status must be initiated by the employing department, with approval of the dean or director, the chancellor, and the president.

For senior administrators, recommendations for emeritus/emerita designations must be made by the provost or president, with approval at all succeeding levels. The president is nominated by the Board of Trustees. For faculty members who were senior administrators, recommendations for emeritus or emerita status must be initiated by the provost or president, with approval at each succeeding level. The president is nominated by the Board of Trustees.

Criteria, processes, rights and privileges appertaining to emeritus/emerita relating to emeritus or emerita status will shall be determined at the university level.

d. Non-tenure system faculty provide specialized contributions to teaching, research, clinical activities, or engagement. They include members of any academic unit who have the rank of professor, associate professor, or assistant professor modified by the terms “adjunct,” “clinical,” “research,” or “teaching”; or the rank of “instructor” or “lecturer” with or without modification. {moved to Sec 2. b. (2) above}

e. As the responsible body in the teaching, research, and scholarly activities of the University of Illinois System, the faculty, both tenure system and non-tenure system, have inherent interests and rights in academic policy and governance; however, the respective interests and rights of tenure and non-tenure system track faculty, however, are not identical (see Article II, Section 4). {moved to Sec 4. a. below}

Section 6. Staff

Section 3. Definition of Staff

Staff positions appointments fall into two categories: those assigned as part of subject to the State Universities Civil Service System (SUCSS) classification plan (civil service) and those exempted from that classification plan.

Civil service positions cover a wide variety of positions ranging from managerial, administrative, professional, technical, maintenance, service, and clerical positions.

(1) Appointments subject to the civil service plan have a range of positions, including managerial, administrative, professional, technical, maintenance, service, or clerical.
Positions Appointments exempted from the SUCSS classification civil service plan fall into two employment groups:

i. Academic professional positions, which have been designated by the president and the chancellors/vice presidents as meeting specialized executive, managerial, professional, teaching, and or research needs.

ii. Special classes of positions may be established to meet specialized professional or technical needs, in accordance with Article IX, Section 4a.

Other staff positions related to teaching and research that are exempted from the civil service classification plan, including postdoctoral research associates (see Article IX, Section 2 (g)(4)).

Section 3 4. Faculty Roles in Governance

a. Tenure system faculty (as defined by Article II, Section 1 (a)) have a primary role in governance. They also may grant additional governance privileges and rights to others. (moved to Sec 4. a. below)

The faculty of the University of Illinois System and any of its units except for the Graduate College consists of those members of the academic staff with the rank or title in that unit of professor, associate professor, or assistant professor who are tenured or receiving probationary credit toward tenure, and those administrators in the direct line of responsibility for academic affairs (persons who hold the title director or dean in an academic unit, provost or equivalent officer, chancellor/vice president and president). Administrative staff members not in the direct line of responsibility for academic affairs are members of the faculty only if they also hold faculty appointments. The bylaws of any academic unit may further mandate a minimum percent faculty appointment in that unit for specified faculty privileges, such as voting privileges.

b. The bylaws of a unit may grant specified faculty privileges to selected faculty of other units. The bylaws may also grant specified faculty privileges to members of the academic staff of the unit or of other units who are not included in subsection 1 above (i.e., neither tenured nor receiving probationary credit toward tenure), and who have the rank or title of professor, associate professor, assistant professor, instructor, or lecturer. The bylaws may also grant specified faculty privileges to members of the academic staff of the unit or of other units who have the rank or title of professor, associate professor, assistant professor, instructor, or lecturer modified by the terms “research,” “adjunct,” “clinical,” “visiting” and/or “emeritus” (e.g., “research professor,” “adjunct assistant professor,” “clinical associate professor,” “visiting professor”). Only academic staff with titles listed above may be extended faculty privileges. Voting on these provisions of the bylaws is limited to those named in subsection (1) above.

c. A university’s senate constitution and bylaws may grant specified university level governance privileges and rights to non-tenure system faculty (as defined by Article II, Section 1
(d)), emeritus/emerita faculty, academic professionals, or students, subject to the approval of the senate. The bylaws may mandate a minimum rank, seniority, or percent appointment for specified governance privileges. Any changes to a senate constitution must be approved by the Board of Trustees (see Article II, Section 2). (moved to Sec 4. e. below)

b. As the responsible body in the teaching, research, and scholarly activities of the University of Illinois System, the faculty has inherent interests and rights in academic policy and governance. As such, faculty members are encouraged to consider, review, analyze, critique, discuss, address, and debate academic policy and governance. (moved in part to Sec 2. e. and Sec 4 a. below)

a. Tenure-track faculty members have a primary role in governance. (from Sec 4 a. above) As the responsible body in the teaching, research, and scholarly activities of the University of Illinois System, however, tenure track and non-tenure-track faculty members have inherent interests and rights in academic policy and governance. As such, faculty members are encouraged to consider, review, analyze, critique, discuss, address, and debate academic policy and governance. The respective interests and rights of the tenure track and non-tenure-track faculty, however, are not identical. (from Sec 2. e. above).

c. b. Each college or other academic unit shall be governed in its internal administration by its faculty, as defined in Section 3a(1) above. Governance of each academic unit shall be based on unit bylaws established and amended by the tenure system its tenure-track faculty of that unit.

The bylaws may grant specified unit governance privileges and rights to selected faculty of other units or faculty with joint appointments in that unit. The bylaws may also grant specified unit governance privileges and rights to non-tenure system faculty, emeritus/emerita faculty, academic professionals, or students. In granting specific governance privileges, such as voting privileges, to these participants the bylaws may require a minimum rank, seniority, or percent appointment in that unit. (moved to Sec 4. c. below)

The bylaws shall provide for the administrative organization and procedure of the unit, including the composition and tenure terms of office of executive or advisory committees. Except that they bylaws may not conflict with these Statutes, or other with specific actions of the Board of Trustees, or with the bylaws of a unit which that encompasses it higher administrative unit. the details of the bylaws are left to the faculty of the unit. Voting on these provisions of the bylaws is limited to the tenure system -track faculty (as defined by Article II, Section 1(a) 2b(1)).

c. The bylaws may grant specified unit governance privileges and rights to selected tenure-track faculty members of other units or faculty members with joint appointments in that unit. The bylaws may also grant specified unit governance privileges and rights to the non-tenure system -track faculty, emeritus / and emerita faculty, academic professionals, or students. In granting specific governance privileges and rights, such as voting privileges, to
these participants the bylaws may require a minimum rank, seniority, or minimum percentage appointment in that unit. Voting on these provisions of the bylaws is limited to the tenure system -track faculty (as defined by Article II, Section 1(a)-2b(1)).

d. Honorific appointments may be created when a modifier is applied to a faculty rank, such as a visiting faculty member in residence from another institution. These appointments may be granted limited privileges, such as office space, internet access, or library access, but may not be granted a role in governance.

b. e. A Each university’s senate constitution and bylaws may grant specified university-level governance privileges and rights to the non-tenure system -track faculty (as defined by Article II, Section 2b(2)), emeritus and emerita faculty, academic professionals, or students, subject to the approval of the senate. In granting specific governance privileges and rights, such as voting privileges, to these participants the bylaws may mandate require a minimum rank, seniority, or minimum percentage appointment in that unit. Any changes to a senate constitution must be approved by the Board of Trustees (see Article II, Section 5).

d. All faculty are encouraged to consider, review, analyze, critique, discuss, address, and debate academic policy and governance.

Section 1-2. University Senates
Section 2-3. University Senates Conference
Section 4-5. Faculty Advisory Committee
Section 5-7. Professional Advisory Committee

Section 8. Visiting Faculty and Visiting Academic Professionals

UNIVERSITY STATUTES AND SENATE PROCEDURES
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