SP.20.25 Revision to the Senate Constitution, Article VI and Bylaws, Part F Providing for Routine and Emergency Electronic Participation in Meetings of the Senate and its Committees

BACKGROUND
Both the Illinois Open Meetings Act and our governing parliamentary authority, Robert's Rules of Order Newly Revised, require that for electronic participation in meetings, the governing documents of the Senate must make specific provisions for such participation. As the coronavirus emergency has shown us, the Senate and its committees need rules for electronic participation in their meetings.

RECOMMENDATION
The Senate Committee on University Statutes and Senate Procedures recommends the approval of the following revisions to the Constitution and Bylaws. Text to be deleted is struck through and text to be added is underlined. Adoption of amendments to the Constitution and Bylaws requires a two-thirds vote of the Senate.

The amendments to the Bylaws proposed in this document will take effect only upon final approval of the amendments to the Constitution by the Board of Trustees.

REVISION TO THE SENATE CONSTITUTION, ARTICLE VI

Section 6. A senator must be present at a Senate meeting to vote; no senator may vote by proxy or absentee ballot. The Bylaws may provide for electronic participation in meetings of the Senate and its committees.

New Section 8 [renumber current Sections 8-12 to be 9-13]

Section 8. The Bylaws shall provide for procedures for the operation of the Senate in the event of an emergency or disaster declaration related to public health concerns by the Governor of the State of Illinois or the Director of the Illinois Department of Public Health. These procedures may include provision for electronic meetings of the Senate and its committees, and special authority for the Senate Executive Committee.
6. Electronic Participation in Meetings of the Senate and its Committees

a. Except as provided in Section 7 below, meetings of the Senate shall be conducted in person.

b. As provided in the Illinois Open Meetings Act (5 ILCS 120/7), if a quorum of the members of a Senate committee is physically present for a meeting, a majority of the committee members present may at their discretion allow a member to attend the meeting by a means other than a physical presence if the member is prevented from physically attending because of: (i) personal illness or disability; (ii) employment purposes or the business of the University; (iii) a family or other emergency; or (iv) another provision authorized in the Open Meetings Act. “Other means” is by video or audio conference.

c. If a member needs to attend a meeting of a Senate committee by a means other than a physical presence, the member must notify the chair of the committee at least 24 hours before the meeting, unless advance notice is impractical.

d. Votes of members participating by other means shall be accepted and counted, but must be cast by the member, not by a proxy.

e. Notices of meetings shall include an adequate description of how and under what circumstances members can join the meeting by other means than physical attendance. Further details, such as how to be recognized to speak and how to vote, shall be made available, as a minimum, on the Senate website. Provision must be made for secure participation and secure voting for members attending by other means.

7. Emergency and Disaster Provisions

The provisions of this section shall apply in the event of an emergency or disaster declaration related to public health concerns by the Governor of the State of
Illinois or the Director of the Illinois Department of Public Health, when it is impossible for members to safely meet in person to carry out the business of the Senate.

a. If the provisions of the Illinois Open Meetings Act requiring the physical presence of a quorum have been suspended (5 ILCS 120/7(e)), the Senate and its committees may meet electronically by video and/or audio connections, provided that a quorum is present electronically. The provisions of these Bylaws, Part F, Sections 6d and 6e must be followed. Votes shall be taken in such manner that each member’s vote is identified and recorded.

b. The Senate Executive Committee is authorized to act for and on behalf of the Senate on urgent matters that require immediate attention, with the stipulation that, before taking such action, the Senate Executive Committee shall seek the advice of those senators who can be contacted. Any such action taken by the Senate Executive Committee shall be reported to the Senate at the next regular meeting of the Senate following such action.

UNIVERSITY STATUTES AND SENATE PROCEDURES
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