

UNIVERSITY OF ILLINOIS
URBANA-CHAMPAIGN SENATE

Committee on University Statutes and Senate Procedures
(Second Reading; Action)

SP.09.03 Proposed Amendments to the *Senate Constitution* to Support the Inclusion of Other Academic Staff in the Senate Electorate

BACKGROUND -- UPDATE

Discussion of SP.09.03 at the October 5, 2009 Senate meeting revealed that the recommendations put forward by USSP would have had the effect of removing some serving Senators from the faculty electorate. Because of this, USSP now recommends that its proposal for amending the *Constitution*: (a) retain the option for instructors to be part of the faculty electorate, (b) expand the relevant paragraph (Article II, Section 1, Paragraph b) to also include lecturers under the same conditions, (c) clarify the process for such inclusion based on designation by the instructor or lecturer's voting unit, and (d) include in the faculty electorate those with the unmodified academic rank or title of professor, associate professor, or assistant professor holding half-time or greater appointments without tenure. The changes can be seen on lines 20-22, 24-27, and 88-89.

BACKGROUND -- HISTORY

During academic year 2007-2008 discussions of various questions concerning the Senate electorate, USSP decided to investigate how the faculty electorate was currently being determined. This led to a discussion of whether the *Constitution's* definition of the faculty electorate should be updated to reflect the evolution of duties and responsibilities of academic staff other than faculty. Meanwhile, the Sixth Senate Review Commission recommended that the *Constitution* be amended to provide representation for Academic Professionals. On April 27, 2009, the Senate discussed and took a non-binding vote on the Review Commission recommendation that a specified number of academic professionals be given voting representation in the Senate. The Senate concluded that there was an interest in having USSP continue to look into how to accomplish the incorporation of academic professionals into the Senate, and this proposal is the result of our work on the topic.

At the time of the 1970 writing of the *Constitution*, the UIUC Faculty Senate allowed the inclusion of student members. It was argued that students should be included because they had a stake in the topics being discussed and voted upon by the Senate. In taking this action, the Senate made the choice to have one senate, not two, and thus what had been the Faculty Senate became the UIUC Academic Senate.

In addition, the 1970 *Constitution* Article II, Section 1c indicated that procedures should be developed to include, as part of the faculty electorate, other academic staff with miscellaneous titles involved in the teaching and research mission of the University. The mechanism for doing this proved so cumbersome that it was abandoned after several years of efforts. All efforts to include this group of stakeholders have been moribund since the mid-1980s. USSP believes it is time to replace and remedy that moribund provision and to recognize that there are other stakeholders, the Other Academic Staff, in the topics being discussed and voted upon by the Senate.

BACKGROUND -- STATUTES

To understand the various categories of academic staff at UIUC, it is appropriate to look to the *UI Statutes*, Article IX, Section 3c.¹ Article IX, Section 3c indicates that the academic staff of the University of Illinois consists of

1. those who hold the academic rank or title of professor, associate professor, or assistant professor who are tenured or receiving probationary credit toward tenure (faculty);
2. those who hold the academic rank or title of professor, associate professor, or assistant professor modified by the terms "research," "adjunct," or "clinical" (modified professorial titles);²
3. those who hold the academic rank or title of lecturer;
4. those who hold the academic rank or title of instructor;³
5. those who hold the academic rank or title of teaching associate, research associate, and clinical associate (associates);⁴
6. those who hold special classes of positions within the academic staff which may be established to meet specialized professional or technical needs (academic professionals).

These groups will be referred to by the titles underlined, above.

BACKGROUND - SENATE CONSTITUTION

The current language defining the Senate faculty electorate in the *Constitution* is found in Article II, Section 1. Specifically, "The faculty electorate are those members of the academic staff who are directly engaged in and responsible for the educational function of the University; ordinarily this will involve teaching and research." In practice, the Senate Clerk requests the academic units on campus (those units, such as departments, which grant degrees) to furnish the name of their eligible faculty electorate. Currently, this practice includes only tenured/tenure track faculty.

A review of documents from the 1970 drafting of the *Constitution* suggests that the intent of Article II, Section 1, was to define a faculty electorate as those who were faculty (i.e., "those who hold the academic rank or title of professor, associate professor, or assistant professor"), those who at the time were on the first rung to becoming an assistant professor (i.e., Article II, Section 1b's reference to, "instructor"), and those who were in essence performing all the duties of a faculty member (i.e., Article II Section 1c). This last, a very nebulous group of people, were to be admitted to the Senate on a one-by-one basis through a petition process overseen by a committee created largely for this purpose, the Senate Elections and Credentials Committee (SECC). The processes for petition and review were cumbersome, and despite the best efforts of the SECC over the 1970s and early 1980s only a very few individuals were admitted to the Senate electorate based on Article II, Section 1c. The provision fell into disuse long before the SECC eventually was disbanded in 1996.

Meanwhile, beyond the faculty as defined by both the *Statutes* and the *Senate Constitution*, the *Statutes* identify as academic staff others who are broadly engaged in the academic and research mission of the University, and these other academic staff have grown in number and in the importance of their contribution to the educational and research mission of the University. This amendment (SP.09.03)

¹One other group is mentioned in the *Statutes*, Article IX, Section 3c: those who hold the academic rank or title of teaching assistant, clinical assistant, and research assistant. Teaching, clinical, and research assistants have Senate representation through the student electorate and are not considered in this amendment (SP.09.03).

²The *Statutes* allow the "visiting" modifier, but persons with these titles are excluded from the faculty electorate in the present *Constitution*. Since visiting professors are temporary, USSP believes this exclusion is appropriate.

³In 1970, an instructor was regarded as the lowest position on the tenure-track, and thus included in the faculty electorate. Today, an instructor is no longer regarded as on the tenure track and USSP believes it is appropriate to exclude them from the faculty electorate.

⁴Post-docs are appointed as post-doctoral research associates and those appointments are temporary. Post-docs are not currently represented in the Senate electorate, and representation for post-docs in the Senate is not included in this proposal.

would recognize their role by providing Senate representation through a new group, separate from the faculty and student electorates: an electorate of Other Academic Staff. The amendments below would enfranchise all members of the Other Academic Staff described above in Groups 2-5 and enfranchise some members of the Other Academic Staff described above in Group 6. We propose

- a) that the fundamental sense of the *Senate Constitution's* definition of the faculty electorate be left unchanged, but that it be reworded using the definition found in the *Statutes*, i.e., in the statutory words that define the tenure track;⁵
- b) that the Other Academic Staff constitute a new electorate to be defined in a new Article III of the *Constitution*;
- c) that there be no more than eight Other Academic Staff senators.
- d) that one (1) Other Academic Staff senator be elected at-large by the group comprising lecturers, instructors, associates, and those with modified professorial titles.⁶
- e) that the members of the Other Academic Staff to be enfranchised be entitled to be members of the Other Academic Staff electorate by virtue of their employment titles and their appointments in an academic unit;
- f) that the remaining seven (7) Other Academic Staff senators be elected from academic professionals employed by academic units or the UI Extension or the Institute of Natural Resource Sustainability (INRS⁷). The latter two units exemplify teaching, research, and outreach.
- g) that the criteria for the electorate from the academic professional ranks be established by the Senate Committee on University Statutes and Senate Procedures and approved by the Senate.

In sum, we propose that seven senators be elected by academic professionals in academic units plus the UI Extension and INRS and that one further senator be elected at large from the lecturers, instructors, associates, and those with modified professorial titles. USSP has considered various scenarios on how the academic professional staff from eligible units should be incorporated into the Other Academic Staff electorate. We will present the options more fully when USSP submits to the Senate implementing *Bylaws* amendments. That will allow the Senate to approve the specific mechanics of how the elections would be held if the proposed constitutional amendment (SP.09.03) is approved.

RECOMMENDATION

The Senate Committee on University Statutes and Senate Procedures recommends approval of the following revisions to the *Senate Constitution*. Text to be deleted is indicated in [square brackets] and text to be added is underscored.

⁵ UI *Statutes*, Article II, Section 3a(1): "The faculty of the University 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, chancellor and president)."

⁶ There are approximately 350 people who comprise this group, which is approximately the size of a Council of Academic Professional (CAP) district.

⁷ The Institute of Natural Resource Sustainability is the unit formed when the State Scientific Surveys were transferred to the administration of the University of Illinois on July 1, 2008.

1 PROPOSED AMENDMENTS TO THE SENATE CONSTITUTION

2 Article I – Basic Structure

- 3 • Section 2. The Senate shall consist of persons who are members of the faculty, Other
4 Academic Staff, and student electorates, elected in accordance with the provisions of
5 the *Constitution*. Elected members shall have full floor and voting privileges on all
6 matters before the Senate except as provided in Article V, Section 11. *Ex officio*
7 members shall have full floor privileges on all matters before the Senate, but shall not
8 vote except as provided in Article V, Section 7.

9
10 Article II – Faculty Representation

- 11 • Section 1. The faculty electorate [are] is composed of those members of the academic staff
12 who are directly engaged in and responsible for the educational function of the University;
13 ordinarily this will involve teaching and research. Specifically, the faculty electorate shall
14 consist of all persons of the campus non-visiting academic staff, other than persons holding
15 administrative appointments in excess of one-half time (the exception to this exclusion are
16 executive officers of departments or similar units, and assistant or associate executive officers
17 of such units, who are otherwise eligible), who:

- 18 ○ a. [Hold the academic rank or title of professor, associate professor, or assistant
19 professor] Are tenured or receiving probationary credit toward tenure or in the
20 preceding year have received probationary credit toward tenure or hold the
21 unmodified academic rank or title of professor, associate professor, or assistant
22 professor without tenure, have at least a one-half time appointment, and are paid by
23 the University; or
- 24 ○ b. Hold the academic rank or title of instructor or lecturer, have a full-time
25 appointment, are paid by the University, [and] are not candidates for a degree from
26 this University, and are designated by their voting unit for inclusion in the faculty
27 electorate; or
- 28 ○ [c. Are appointed as and hold positions with titles other than those described in (a) and
29 (b) above, have a full-time appointment, are paid by the University, are not candidates
30 for a degree from this University, and, in the determination of the Senate, are directly
31 engaged in and responsible for the educational function of the University, ordinarily
32 involving teaching and research; or
- 33 ○ d.] c. Are retired members of the campus academic staff with the title of emeritus, and
34 would otherwise be eligible for inclusion in the faculty electorate. However, retired
35 members shall not be counted for purposes of the provisions of Sections 3, 4, and 5 of
36 this Article.

37 [Executive officers of departments or similar units, and assistant or associate executive officers
38 of such units, who are otherwise eligible, shall not be excluded from the faculty electorate
39 because they hold administrative appointments in excess of one-half time.]

- 40 • Section 2. All persons included in the faculty electorate shall be eligible for election to the
41 Senate, without distinction on the basis of rank or other criteria. Each member of the electorate
42 shall be entitled to cast one vote for each open senatorial position apportioned to the member's
43 voting unit; there shall be no cumulative voting.

- 44 • **Section 3.** Elections shall be held on the basis of faculty voting units. A faculty voting unit is
45 the smallest academic unit, such as the department or similar unit, in each college or
46 analogous academic division that has at least seven members of the faculty electorate.
- 47 • **Section 4.** A voting unit having seven members of the faculty electorate is entitled to elect one
48 senator from its membership. For each 12 members of the faculty electorate over the initial
49 seven, the unit shall elect an additional senator. Prior to each election, the Senate shall retain or
50 adjust the numbers 7 or 12 or both by whole numbers to ensure that after such election the
51 total number of senators from the faculty electorate shall be as close to 200 as possible.
- 52 • **Section 5.** Academic units having fewer than seven members of the faculty electorate shall be
53 combined with or attached to other units within the college or other analogous educational
54 division in which the unit is located, in such a way as to ensure opportunity for full
55 participation by all members of the faculty electorate.
- 56 • **Section 6.** Each faculty voting unit shall provide to its faculty electorate a nominating ballot
57 containing the names of all those eligible to vote in the unit. Each member of the unit's faculty
58 electorate shall be entitled to cast one nominating vote for each open senatorial position
59 apportioned to the unit; there shall be no cumulative voting. The voting unit shall then
60 prepare an election ballot containing the names of those who received the highest number of
61 nominating votes and who are willing to serve. The number of names on the election ballot
62 shall equal twice the number of those to be elected or all of those nominated, if the number of
63 those nominated is less than twice the number to be elected. The nominees receiving the
64 highest numbers of votes shall be deemed elected.
- 65 • **Section 7.** Voting on nominations and elections of senators shall be by secret ballot.
- 66 • **Section 8.** Senators shall be elected for two-year terms commencing at the beginning of the
67 next academic year. Provision shall be made for staggered terms so that approximately half
68 the Senate will be elected each year.
- 69 • **Section 9.** Vacancies shall be filled by election of a member of the voting unit for the
70 remainder of the vacant term in accordance with the nomination and election procedures
71 prescribed in this Article.
- 72 • **Section 10.** No senator shall be elected for more than three consecutive full terms.
- 73 • **Section 11.** A faculty senator can be recalled by a vote of two-thirds of the members of the
74 senator's voting unit.
- 75 • **Section 12.** The faculty electorate of the College of Medicine at Urbana-Champaign shall be
76 entitled to elect voting members of the Senate. The provisions of this Article shall apply to
77 these members.

78 **Article III – Other Academic Staff Representation**

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- 80 • **Section 1.** The Other Academic Staff electorate is composed of those members of the Other
81 Academic Staff who are engaged in and responsible for the educational function of the
82 University; ordinarily this will involve teaching and research. Specifically, the Other
83 Academic Staff electorate shall consist of all persons of the campus non-visiting academic staff
84 who have a full-time appointment, are paid by the University, are not candidates for a degree
85 from this University, and who:
- 86 • a. Hold the academic rank or title of professor, associate professor, or assistant
87 professor modified by the terms “research,” “adjunct,” or “clinical;” or
- 88 • b. Hold the academic rank or title of instructor or lecturer and are not included in the
89 faculty electorate by designation of their voting unit; or
- 90 • c. Hold the unmodified academic rank or title of teaching associate, research associate,
91 or clinical associate; or

- 92 • d. Are members of the academic staff as defined in the *University Statutes*, Article II,
93 Section 5, and satisfy the teaching or research criteria established by the Senate
94 Committee on University Statutes and Senate Procedures and approved by the Senate.
- 95 • Section 2. All persons included in the Other Academic Staff electorate shall be eligible for
96 election to the Senate, without distinction on the basis of rank or other criteria. Each member
97 of the electorate shall be entitled to cast one vote for each open senatorial position in the
98 member's electoral unit.
- 99 • Section 3. Elections shall be held on the basis of voting units. One at-large seat will be elected
100 by those described in Article III section 1a, b, and c. Seven senators will be elected by those
101 described in section 1d. Elections for this group shall be held on the basis of employment in
102 an academic unit or the University of Illinois Extension or the Institute for Natural Resource
103 Sustainability. These election units shall be as nearly equal in size as is practicable and shall be
104 the same as the voting units for the relevant Council of Academic Professionals election
105 districts.
- 106 • Section 4. Those eligible to vote in each Other Academic Staff voting unit shall be notified that
107 an election is to be held. Any member of the Other Academic Staff electorate who desires to
108 run for election from their electorate unit shall submit a statement to that effect and a short
109 biography to the appropriate Other Academic Staff voting unit elections and credentials
110 committee. The nominee receiving the highest number of votes shall be deemed elected.
- 111 • Section 5. Voting on the election of senators shall be by secret ballot.
- 112 • Section 6. Senators shall be elected for two-year terms commencing at the beginning of the
113 next academic year. Provision shall be made for staggered terms so that approximately half
114 the Other Academic Staff senators will be elected each year.
- 115 • Section 7. Vacancies shall be filled by election of a member of the voting unit for the
116 remainder of the vacant term in accordance with the nomination and election procedures
117 prescribed in this Article.
- 118 • Section 8. No senator shall be elected for more than three consecutive full terms.
- 119 • Section 9. An Other Academic Staff senator can be recalled by a vote of two-thirds of those
120 voting in the recall election.
- 121 • Section 10. Membership in the Other Academic Staff electorate continues during the term of
122 any member elected to the Senate.

123
124 Note: Renumber Articles III and IV as Articles IV and V.

125 **Article [V]VI – General Provisions**

126
127 **Section 11.** When the Senate selects members of a search committee, faculty senators shall
128 nominate and elect faculty members of the committee, Other Academic Staff senators shall
129 nominate and elect Other Academic Staff members of the committee, and student senators shall
130 nominate and elect student members of the committee in separate votes.

UNIVERSITY STATUTES AND SENATE
PROCEDURES

William Maher, Chair
Sam Barghi
H. George Friedman
Karen Hogenboom
Patrick Lynch
Vera Mainz
Anna-Maria Marshall

Ann Reisner
Kristine Campbell, *Observer*
Elyne Cole, *ex officio (designee)*
Robert C. Damrau, *ex officio*

2008-09 COMMITTEE MEMBER
Peter Loeb