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SP.15.14
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UNIVERSITY OF ILLINOIS
URBANA-CHAMPAIGN SENATE

Committee on University Statutes and Senate Procedures
(Final; Action)

SP.15.14 General Revisions to the *Statutes* Motion #3

BACKGROUND

In August 2012, the Governance, Personnel, and Ethics Committee of the Board of Trustees requested an overall review of the *University Statutes*. The Board authorized an ad hoc committee to conduct this review. That committee consisted of faculty from all three campuses, as well as various University administrators. The Statutes and Governance subcommittee of the University Senates Conference (USC) also participated in the review process. The Board's committee on Governance, Personnel, and Ethics reviewed the proposed changes, and this October, asked USC to seek the approval of the changes from the campus senates. At the October 20, 2014 Senate meeting, item UC.15.03 communicated a redline/strikeout version of the *Statutes* for consideration. To correct for a clerical error, the Senate Committee on University Statutes and Senate Procedures (USSP) was later provided with an October 24, 2014 updated version of the proposed revisions.

As mandated by the *Bylaws* of the Urbana-Champaign Senate, USSP has conducted its own review of these recommended revisions, prior to their being submitted to the Senate to vote on its advice to the Board, as provided by Article XIII, Section 8 b of the *Statutes*. The suggested changes are extensive, affecting every Article of the *Statutes*. Some of them are simply editorial adjustments, clarifying ambiguous language, for example, but some proposals would make more substantive changes.

In the course of its review, USSP found the vast majority of the changes to be appropriate and advisable, but it had specific concerns about some of the proposed changes, and these are identified with this motion. In a similar vein, at the December 8, 2014 Senate meeting, USSP presented its recommendations on the first two batches (Motions 1 and 2) of proposed revisions, and at the February 9, 2015 Senate meeting, USSP presented its recommendations on the second two batches (Motions 4 and 5).

For the Senate to consider these amendments in an orderly way, USSP will offer several resolutions covering different sections of the revisions. Because of the extent of the changes being proposed, USSP has not yet completed its review of all of the proposed changes. However, to ensure progress, it wishes to bring those sections which it has readied for action to the Senate for discussion and action, and USSP now presents a third batch (Motion 3). We hope to have the final items ready for the April Senate meeting. At the end of the process, the USSP or the Senate may return to any earlier batches if issues in the later ones would affect the content of earlier ones.

Attached is the text of the *Statutes* related to this portion of the review with redline/strikeout markings to illustrate the revisions emerging from the Board of Trustees review and below are USSP's recommendations for action to be taken by the Senate.

RECOMMENDATION

The Senate Committee on University Statutes and Senate Procedures recommends approval, subject to any later amendments that may be necessary, of the revisions to the *University Statutes* as contained in Motion 3 (lines 252-324, i.e., Article II, Section 3 [Faculty Role in Governance]) with the exceptions identified below. For these exceptions, we note the Board's proposed change, followed by USSP's recommendation. Text to be added is underscored and text to be deleted is indicated by ~~strikeout~~ (e.g., ~~sample text for deletion~~).

1. Lines 250-320...Revise the wording from “tenure-track” and “non-tenure-track” to “tenure-system” and “non-tenure-system” in each instance where it is used. The term “system” more clearly incorporates both probationary faculty and those with indefinite tenure and it also reflects existing human resources practices at the University. (Note that the terms “tenure-track” and “non-tenure-track” do not appear anywhere in the current *Statutes*.)
2. Lines 279-282...USSP noted that the sentence in lines 280-282 (“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.”) should not be deleted unless the suggested revisions to lines 291-292 are also accepted.
3. Line 285...Add a period (.) after “University.”
4. Lines 285-289...Revise the wording to read: “They include members of the academic staff of the unit or of other units who have the rank of professor, associate professor, or assistant professor modified by the terms enumerated in Article IX, Section 3c or the term “emeritus” or the titles of “instructor” or “lecturer” with or without modification.” This avoids enumerating all the possible modifiers in multiple places within the *Statutes*.
5. Lines 291-292...USSP recommends retaining the wording as proposed, but after the word “units” to insert a period, delete the word “and,” and insert the words “The bylaws may also mandate a minimum...”. Doing so would avoid confusion that is created in the proposal's lines 291-293 which joins two separate circumstances for faculty participation. The revised sentences would read: “The bylaws of any academic unit may grant specified unit governance privileges to selected faculty of other units. The bylaws may also mandate a minimum percent faculty appointment in that unit for specified governance privileges, such a voting privileges.”

UNIVERSITY STATUTES AND SENATE PROCEDURES

William Maher, Chair
H. George Friedman
Wendy Harris
Scott Jacobs
Calvin Lear
Anna-Maria Marshall
Mark Roszkowski
Cheyenne Wu
Sandy Jones, *Ex officio (designee)*
Jenny Roether, *Ex officio*
Dedra Williams, *Observer*

252 Rationale: The current definition of “faculty” includes only tenure-track faculty members,
253 which excludes non-tenure-track faculty members from those who are “the responsible
254 body in the teaching, research, and scholarly activities of the University” and thus those
255 who have “inherent interests and rights in academic policy and governance.” The Statutes
256 specify that the bylaws of a unit may extend specified privileges to unit colleagues who are
257 not on the tenure track, implying but not specifying that the exercise of such privileges is
258 limited to the academic unit.

259
260 This revision explicitly includes non-tenure-track faculty members in the body of
261 employees who enjoy rights related to academic policy and governance, while maintaining
262 the distinction between the rights and privileges of tenure-track faculty and of non-tenure-
263 track faculty. It specifies that the privileges that units may grant to non-tenure-track
264 faculty members may be exercised only within the unit. It also revises the term “rank or
265 title” to refer only to rank, given that there is no University-wide standard or control for
266 the use of courtesy titles.

267 **Section 3. Faculty Roles in Governance**

268
269 a. (1) The tenure-track faculty is, in academic matters, the primary governing body
270 of the University, and it has a fundamental interest in all issues of university policy. The tenure-
271 track faculty consists of those members of the academic staff in any academic unit, except for the
272 Graduate College, with the rank of professor, associate professor, or assistant professor who are
273 tenured or receiving probationary credit toward tenure. ~~The faculty of the University and any of~~
274 ~~its units except for the Graduate College consists of those members of the academic staff with~~
275 ~~the rank or title in that unit of professor, associate professor, or assistant professor who are~~
276 ~~tenured or receiving probationary credit toward tenure,~~ and those administrators in the direct line
277 of responsibility for academic affairs (persons who hold the title director or dean ~~in~~ of an
278 academic unit, provost or equivalent officer, chancellor/vice president and president).
279 Administrative staff members not in the direct line of responsibility for academic affairs are
280 ~~members of the faculty~~ included only if they also hold tenure-track faculty appointments. ~~The~~
281 ~~bylaws of any academic unit may further mandate a minimum percent faculty appointment in~~
282 ~~that unit for specified faculty privileges, such as voting privileges.~~

283
284 (2) Non-tenure-track faculty provide specialized contributions to the teaching and
285 research of the University They include members of the academic staff of the unit or of other
286 units who have the rank of professor, associate professor, or assistant professor modified by the
287 terms “research,” “teaching,” “adjunct,” “clinical,” “visiting” and/or “emeritus” (e.g., “research
288 professor,” “adjunct assistant professor,” “clinical associate professor,” “visiting professor”), or
289 the titles “instructor” or “lecturer.”

290
291 (3) The bylaws of any academic unit may grant specified unit governance
292 privileges to selected faculty of other units, and may mandate a minimum percent faculty
293 appointment in that unit for specified governance privileges, such as voting privileges. The
294 bylaws of any academic unit may also grant specified unit governance privileges to non-tenure-
295 track faculty (as defined by Section 3a (2) above). Voting on these provisions of the bylaws is
296 limited to those tenure-track faculty named in subsection (1) above. At the campus level, the
297 Senate constitution and bylaws may grant specified governance privileges to non-tenure-track
298 faculty (as defined by Section 3a (2) above), subject to the approval of the Senate. ~~The bylaws of~~

299 ~~a unit may grant specified faculty privileges to selected faculty of other units. The bylaws may~~
300 ~~also grant specified faculty privileges to members of the academic staff of the unit or of other~~
301 ~~units who are not included in subsection 1 above (i.e., neither tenured nor receiving probationary~~
302 ~~credit toward tenure), and who have the rank or title of professor, associate professor, assistant~~
303 ~~professor, instructor, or lecturer. The bylaws may also grant specified faculty privileges to~~
304 ~~members of the academic staff of the unit or of other units who have the rank or title of~~
305 ~~professor, associate professor, assistant professor, instructor, or lecturer modified by the terms~~
306 ~~“research,” “adjunct,” “clinical,” “visiting” and/or “emeritus” (e.g., “research professor,”~~
307 ~~“adjunct assistant professor,” “clinical associate professor,” “visiting professor”). Only~~
308 ~~academic staff with titles listed above may be extended faculty privileges. Voting on these~~
309 ~~provisions of the bylaws is limited to those named in subsection (1) above.~~
310

311 **b.** As the responsible body in the teaching, research, and scholarly activities of the
312 University, the faculty, ~~both tenure-track and non-tenure-track, have has~~ inherent interests and
313 rights in academic policy and governance; ~~however, these interests and rights are not identical,~~
314 ~~and the status of tenure-track faculty grants them a distinct governance role.~~— Each college or
315 other academic unit shall be governed in its internal administration by its tenure-track faculty, as
316 defined in Section 3a (1) above, with additional unit governance privileges for non-tenure-track
317 faculty as may be explicitly provided under Section 3a (3) above.— Governance of each academic
318 unit shall be based on unit bylaws established and amended by the tenure-track faculty of that
319 unit, which may include specific unit governance privileges designated in the bylaws for non-
320 tenure-track faculty.— The bylaws shall provide for the administrative organization and procedure
321 of the unit, including the composition and tenure of executive or advisory committees, ~~— Except~~
322 that they may not conflict with these *Statutes*, or other specific actions of the Board of Trustees,
323 or with the bylaws of a unit which encompasses it, ~~the details of the bylaws are left to the faculty~~
324 ~~of the unit.~~
325

326 Rationale: This section was revised to reflect the current functions of the Faculty Advisory
327 Committees (FACs) on the campuses where they are active. It was also reorganized in
328 order to explain all aspects of the FAC’s function first, and then to describe its operation.
329 Finally, details about the precise composition of the committee on each campus were
330 deleted, to allow the campuses to set their own policies, except for two general provisions:
331 that the FAC not include those holding administrative posts (the definition of such having
332 been refined to specify those who are likely to be in a supervisory position over potential
333 grievants); and that no more than two members of the FAC may belong to the same
334 college.
335

336 **Section 4. Faculty Advisory Committee**

337
338 At each campus the faculty shall elect a Faculty Advisory Committee, which shall
339 provide a means for the orderly voicing of grievances or related concerns about the governance
340 and procedures of academic or administrative campus units. A member of the academic staff or
341 a retired member shall be entitled to a conference with the committee or with any member of it
342 on any matter properly within the purview of the committee. Academic employees who are
343 members of the Professional Advisory Committee electorate shall use the procedures outlined in
344 Section 5 of Article II. In addition, the committee may make confidential reports on personnel
345 matters at the request of the provost, the chancellor/vice-president, or the president. In