

**UNIVERSITY OF ILLINOIS
URBANA-CHAMPAIGN SENATE**

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

SP.15.15 General Revisions to the *Statutes* Motion #6, #7, and #8

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. To facilitate consideration of the changes, the USC's UC.15.03 divided the changes into batches to be considered as eight successive motions.

Starting in October, and as mandated by the *Bylaws* of the Urbana-Champaign Senate, USSP has conducted its own review of these recommended revisions to prepare them for the Senate to consider as it votes 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. For the Senate to consider these amendments in an orderly way, USSP offers several resolutions covering different sections of the revisions.

In the course of its review, USSP has found the vast majority of the changes to be appropriate and advisable, but it has had specific concerns about some of the proposed changes. These have been identified in December, February, March and the present motions to the Senate. Thus, at the December 8, 2014 Senate meeting, USSP presented its recommendations on the first two batches (Motions 1 and 2) of proposed revisions, and further submissions were made at the February 9, 2015 (Motions 4 and 5) and March 9, 2015 (Motion 3) Senate meetings.

With the present set of resolutions (covering motions 6, 7, and 8), USSP completes the cycle of the motions outlined by USC's October request. Based on recent communications from USC, we understand that there will be a few further matters to be considered. These include a recommendation to move the intellectual property provisions from the *General Rules* into the *Statutes* and a further set of edits that USC is recommending to reconcile wording variations in how the Chicago, Springfield, and Urbana campuses have dealt with the text of the proposed amendments. USSP hopes to be able to present these further items to the UIUC Senate before the end of the current semester.

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. Those matters on which USSP recommends that the Senate take a different stance are articulated in the Recommendations below.

RECOMMENDATION ONE:

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 6: Lines 939-1352 (Article VII, Section 3 – Article IX, Section 6) 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~~).

- 1.1 Lines 1132-1137 propose the insertion of the following text: “All federal and state laws related to employment and selection, as well as, the University Non-Discrimination Statement, must be followed when selecting candidates for employment and when selecting employees for promotional opportunities.” While the reference to the need to comply with laws should be superfluous, USSP’s only recommendation on this insertion is to remove the comma after “as well as.”
- 1.2 Lines 1163-1165 propose revising an existing clause with the addition as marked with underlining: “b. Appointments shall be made solely on the basis of the special fitness of the individual for the work demanded in the position and other university policies and guidelines regarding recruitment, selection and promotion.” USSP suggested revising the wording to read: “b. Appointments shall be made solely on the basis of the special fitness of the individual for the work demanded in the position and shall follow university policies and guidelines regarding recruitment, selection, and promotion.”
- 1.3 Lines 1167-1176: Line 1170 suggests the insertion of the word “specialized” in the existing text as reflected in the following: “Modifying terms such as “research,” “adjunct,” “specialized,” “clinical,” and “visiting” may be used in conjunction with these academic ranks. . . .” USSP recommends replacing the modifier “specialized” with the modifier “teaching.” The term “specialized” is not used for any formal statement of appointment; however, “teaching” is used for appointments. For purposes of clarity and ease of reference, USSP recommends placing the modifying terms in alphabetical order. The resulting lines would then read:

The following ranks, and only these ranks, of the academic staff as defined in Article IX, Section 4a, are subject to the provisions of Article X, Section 1: professor, associate professor, and assistant professor. Modifying terms such as “adjunct,” “clinical,” “research,” “teaching,” and “visiting” may be used in conjunction with these academic ranks (e.g., “adjunct assistant professor,” “clinical associate professor,” “research professor,” “visiting professor”); but no appointment for an indefinite term may be made in which a modifying term is used in the academic rank. Furthermore, an appointment in which a modifier is used in the title will not count toward completion of the probationary period, as provided in Article X, Section 1, unless specially recommended by the executive officer of the unit and approved by the dean and by the chancellor/vice president or an officer authorized to act for the chancellor/vice president.
- 1.4 The current lines 1178-1180 read: “Other academic ranks recognized within the academic staff are: (1) lecturer; (2) instructor; (3) teaching associate, research associate, and clinical associate; (4) teaching assistant, research assistant, and clinical assistant. USSP discussed this wording and recommends that it be deleted and replaced with the following to reflect the current full array of possible titles: “Other academic ranks recognized within the academic staff are: (1) instructor, senior instructor, lecturer, and senior lecturer which may be modified by “adjunct,” “clinical,” or “visiting”; (2) clinical associate, research associate (which may be modified by “post doctoral”), and teaching associate, each of which may be modified by “adjunct” or “visiting”; (3) clinical assistant, research assistant, teaching assistant, and other graduate assistants.”
- 1.5 Lines 1208-1211 propose the insertion of a new paragraph “f. Academic appointments requiring direct approval of the Board of Trustees include the President, University officers, deans, academic staff, the CEO of the University hospital, directors of intercollegiate athletics, head coaches for football and basketball. Board approval prior to the beginning date is required for all new administrative and

faculty appointments.” USSP does not recommend the use of “academic staff” in line 1209 because that would encompass all employees who are not civil service, and USSP does not agree with the use of “all new administrative” in line 1211 which is also too inclusive. Instead, USSP recommends that the new paragraph read as follows: “The Board of Trustees shall from time to time publish a list of appointments that require direct approval by the Board and the operational requirements for submitting appointment recommendations to the Board. Board approval prior to the beginning date is required for all new tenure system appointments.”

- 1.6 Lines 1230-1231 propose to amend the first sentence of Article IX Section 4 Paragraph c as follows: “c. Minimum salaries for the various ranks shall be determined each campus and accepted by the Board of Trustees.” In recognition of the Board of Trustees’ traditional role of reviewing and approving the minimum salaries as listed in the Gray Book, USSP recommends that this sentence be revised instead as follows: “Minimum salaries for the various ranks shall be determined by the chancellor/vice president of each campus and reviewed by the Board of Trustees.”
- 1.7 Lines 1241-44 propose insertion of a new paragraph: “f. For University Administration employees, University Administration may adopt and administer policies and procedures in accordance with federal and state laws and university policies/statutes to apply consistent practices for University Administration employees across the three campuses and satellite offices.” USSP recognizes that this new paragraph provides a clarification for the administrative position of University Administration academic staff members at the separate campuses. However, to eliminate superfluous and unnecessary wording and consistency with terminology elsewhere in the *Statutes*, USSP recommends the following substitute language: “f. For University Administration employees, University Administration may adopt and administer policies and procedures ~~in accordance with federal and state laws and university policies/statutes~~ to apply consistent practices for University Administration academic staff across the ~~three~~ campuses and satellite offices.”
- 1.8 Lines 1254-1255 propose to amend the existing language of Section 5 b “No person employed by the University shall have any interests incompatible with that person’s obligations to the University,” by appending “unless those activities/interests are guided by other applicable University/Campus policies.” USSP finds the phrasing of the “unless” clause to be vague and recommends instead that this paragraph be amended as follows: “No person employed by the University shall have any interests incompatible with that person’s obligations to the University. If an employee’s outside activities pose real or potential conflicts of commitment or interest with the employee’s obligations to the University, those activities must be disclosed, reviewed, and, if appropriate, managed under applicable University and campus policies.”
- 1.9 Lines 1257-62 propose: “c. Full-time employees shall not receive compensation for services with the University in excess of a normal schedule except for a reasonable amount of instruction in continuing education and public service programs, or for the grading of special examinations (outside regular course work) stipulated by the University, or other specialized functions, all to be done at a time that does not conflict with other university duties and that are not within their home unit.”

However, USSP recommends that the words “and that are not within their home unit” be deleted from the proposal because home units sometimes require service in excess of a normal schedule. For the remainder of the paragraph (lines 1262-66) USSP recommends a modified text as reflected by the strikeouts and insertions in the following: “Exceptions may be made to this rule in special cases which are approved by the dean of the college or executive officer of a similar division (or a designee thereof) of which the employee is a member provided that if such additional payments exceed a nominal amount the advance approval of the ~~appropriate administrator or~~ chancellor/vice president shall be secured. These exceptions shall be held to a minimum.” USSP recommends removal of “appropriate administrator” because it is too vague.

RECOMMENDATION TWO:

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 7: Lines 1354-1941 (Article IX, Section 7 – Article X, Section 2) 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~~).

- 2.1 Line 1452 proposes: “Section 8. Graduate Work of Academic ~~Staff Members~~ Employees” USSP believes that retaining the words “academic staff members” is more consistent with related sections of the *Statutes*. Thus, USSP recommends restoring the title of Section 8 to: “Section 8. Graduate Work of Academic Staff Members.”
- 2.2 Lines 1509-12 should be deleted since they unnecessarily replicate the addition being made in 1241-44. Further, on line 1516 the rubric/paragraph designation of “b” should be changed to “a.”
- 2.3 Lines 1531-43. The USC proposal adds two unnumbered hanging indent paragraphs. Because the existing provisions in lines 1528-30 presently provide the necessary statutory authorization for the procedural details of the matter being introduced in lines 1531-43 and because the issues suggested by the specificity of the proposed lines 1531-43 raise issues of significant complexity, USSP recommends that the proposed 1531-43 text be removed from the current proposal and that the issues it raises be referred to an appropriate committee and then brought back, if necessary, for a future amendment to the *Statutes*.
- 2.4 Lines 1678-80 propose: “(4) An academic staff appointment with the rank of clinical assistant, research assistant, or teaching assistant shall be for not longer than one year and notice of nonreappointment is not required.” USSP recommends deletion of the proposed words “academic staff” as both unnecessary and inconsistent with the related provisions in paragraphs (3), (5), (6), (7), and (8).
- 2.5 Lines 1686-89 need a few words added to be consistent with the revisions proposed for lines 1178-1180, above (see item 1.4). Thus, USSP recommends the following as substitute text: “(6) An appointment which includes in the title the term “adjunct,” ~~or~~ “clinical,” or “teaching” modifying the term “professor”, “associate professor” or “assistant professor,” as authorized in the first paragraph of Article IX, Section 3c, or an appointment with the rank of ~~lecturer or instructor~~ lecturer or senior lecturer, or instructor, clinical instructor, or senior instructor, shall be for not longer than three years.”
- 2.6 Lines 1696-99 need a clarification added and the use of the standardized title for appointment notices. Thus, USSP recommends the following text: “Written notice of nonreappointment is required in the case of full-time appointments at these ranks other than appointments that are for no more than one year, ~~and are~~ and are nonsalaried, part-time, or conditional upon the receipt of nonappropriated funds (as specified in the ~~notice of appointment~~ Notification of Appointment).”

RECOMMENDATION THREE:

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 8: Lines 1942-2192 (Article XI, Section 1 – Article XIII, Section 8) 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~~).

- 3.1 Lines 2018-19, Change proposed language from: “Such encouragement includes the endorsement and support of acceptable proposals for outside contracts or grants by sponsoring external agencies and groups.” to “Such encouragement includes the endorsement and support of acceptable proposals for ~~outside~~ contracts or grants by sponsoring external agencies and groups.”

- 3.2 Lines 2024-25 propose “Funds to meet these indirect costs must be provided either by the sponsors, by special arrangement, or by tax funds.” USSP questions whether “special arrangement” is appropriate for what it imagines is at issue here.
- 3.3 Lines 2052-54 propose adding: “The General Rules Concerning University Organization and Procedure shall contain rules and regulations regarding intellectual property.” USSP understands that there is a forthcoming proposal to move all of the intellectual property provisions of the *General Rules* to the *Statutes*, and we believe that proposal may have merit. However, until such a proposal has been made and approved, the proposed addition in lines 2052-54 noted above should be retained in the proposals for a general revision of the *Statutes*.

UNIVERSITY STATUTES AND SENATE PROCEDURES

William Maher, Chair

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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*

921 status upon recommendation of the appropriate chancellor/vice president or chancellors/vice
922 presidents subject to the *Statutes* and *The General Rules* governing the campus operations.

923 **Section 2. University Press**

924
925 **a.** The University Press is responsible for developing and conducting the University's
926 program of publishing books, monographs, and journals.

927
928 **b.** The director of the University Press shall be appointed annually by the Board of
929 Trustees on the recommendation of the president.—The director shall be the principal
930 administrative officer of the press and shall be responsible to the president.

931
932 **c.** There shall be a University Press Board composed of the director of the press, the
933 deans of the Graduate Colleges or their representatives, and six appointed faculty members.
934 Appointments to the board shall be made by the president after consultation with the director of
935 the University Press and the vice president for academic affairs.—The University Press Board
936 shall advise the director of the press regarding policies and administration.—The chair shall be
937 elected from among the faculty membership.

938

939 **Section 3. Councils on Teacher Education**

940
941 **a.** At each campus engaged in teacher education, there shall be a Council on Teacher
942 Education composed of the deans and directors of the respective colleges, schools, and similar
943 units at that campus which offer curricula in the preparation of teachers for the elementary and
944 secondary schools.—The chair of the council shall be named by the ~~campus~~-chancellor/vice
945 president.

946
947 **b.** The duties of the council are to formulate policies and programs of student
948 selection, retention, guidance and preparation, and placement in elementary and secondary
949 schools in conformity with educational policies established by the campus senate.

950
951 **c.** At each campus, the council is authorized to appoint area-of-specialization
952 committees in each of the major teaching fields, committees on teacher placement, and such
953 other committees as may be needed.—These committees shall be composed of representatives
954 from the College of Education or comparable campus program and from major subject-matter
955 fields represented in any given curriculum.

956
957 The area-of-specialization committees shall be responsible for the improvement of their
958 respective teacher-education curricula, counseling procedures in their areas, and other activities
959 related thereto.—Each committee shall recommend action to the Council on Teacher Education
960 on its campus.

961
962 **d.** Students shall not be eligible for university approval of their status as prospective
963 teachers unless they have elected a curriculum approved by the campus Council on Teacher
964 Education.

965

966 | e. All curricula in teacher education shall be approved by the area-of-specialization
967 | committee, by the departments, by the respective colleges offering the curricula, by the
968 | appropriate Council on Teacher Education, and by the respective senates.
969 |

970 | **Section 4. Agricultural Experiment Station**

971 |
972 | The Agricultural Experiment Station shall be administered by a director, who shall be
973 | appointed annually by the Board of Trustees on the recommendation of the president.
974 |

975 | The Agricultural Experiment Station of the University of Illinois was established in 1888,
976 | under the provisions of acts of Congress, “to aid in acquiring and diffusing among the people of
977 | the United States useful and practical information in subjects connected with agriculture, and to
978 | promote scientific investigation and experiment respecting the principles and applications of
979 | agricultural science.”
980 |

981 | **Section 5. Cooperative Extension Service in Agriculture and Home** 982 | **Economics**

983 |
984 | a. The Cooperative Extension Service in Agriculture and Home Economics shall be
985 | administered by a director appointed annually by the Board of Trustees on the recommendation
986 | of the president, concurred in by the Secretary of Agriculture.
987 |

988 | b. Under the provisions of the Smith-Lever Act, approved by the President of the
989 | United States on May 8, 1914, and of subsequent acts of Congress, and under the provisions of a
990 | concurring joint resolution of the Illinois General Assembly, the University is designated the
991 | agency in Illinois responsible for cooperative agricultural and home economics extension work.
992 |

993 | This work shall consist of the giving of instruction and practical demonstrations in
994 | agriculture and home economics to persons not attending the University and of imparting to such
995 | persons information on these subjects through field demonstrations, publications, and otherwise.
996 | This work shall be carried on in such a manner as may be mutually agreed upon by the Secretary
997 | of Agriculture and the University.
998 |
999 |

1000 | **ARTICLE VIII. CHANGES IN ACADEMIC** 1001 | **ORGANIZATION**

1002 | **Section 1. Definitions**

1003 |
1004 | a. *Unit.*—For the purposes of Article VIII, a unit is a division of the University to
1005 | which academic appointments can be made and to which resources can be allocated, including
1006 | departments or similar units, centers, institutes, schools, and colleges.
1007 |

1008 | **b. Tenure Home.**—For the purposes of Article VIII, a tenure home is an academic unit
1009 | (a) whose academic staff includes the group eligible to vote on promotion and tenure decisions
1010 | within the unit; and (b) that provides the unit-specific standards that, in compliance with higher-
1011 | level standards, apply for promotion and tenure decisions for a member of the academic staff
1012 | with the rank or title of professor, associate professor, or assistant professor who is tenured or
1013 | receiving probationary credit toward tenure.
1014 |

1015 | **Section 2. Appointment of Faculty to Units**
1016 |

1017 | A member of the academic staff with the rank or title of professor, associate professor, or
1018 | assistant professor who is tenured or receiving probationary credit toward tenure must have a
1019 | tenure home that has been approved through the procedures in Article VIII, Section 3a through
1020 | 3c, below.—A faculty member may have a tenure home in more than one academic unit, but must
1021 | have a tenure home in at least one academic unit.—*If* any member of a proposed or existing unit’s
1022 | academic staff with the rank or title of professor, associate professor, or assistant professor who
1023 | is tenured or receiving probationary credit toward tenure does not already have or will not
1024 | otherwise have an appointment in one of the following types of units:

- 1025 |
- 1026 | i. another department or similar academic unit that has been approved through
1027 | these Article VIII procedures;
 - 1028 |
 - 1029 | ii. an intermediate unit that is not divided into departments or similar units and
1030 | that has been approved through these Article VIII procedures; or
 - 1031 |
 - 1032 | iii. a school or college that is not an intermediate unit, that is not further divided
1033 | into academic departments or similar units and that has been approved
1034 | through these Article VIII procedures;—*then* formation of the proposed unit
1035 | as, or conversion of the existing unit into, a unit that will provide a tenure
1036 | home must be approved through the procedures in Article VIII, Section 3a
1037 | through 3c, below, as applicable.

1038 |

1039 | Any change in academic organization such as the termination, separation,
1040 | transfer, merger, change in status (e.g., department to school), or renaming of
1041 | an academic unit to which are made appointments of faculty with the rank or
1042 | title of professor, associate professor, or assistant professor who are tenured
1043 | or receiving probationary credit toward tenure must be approved through the
1044 | procedures in Article VIII, Section 4, below.

1045 |

1046 | *If* all members of a proposed or existing unit’s academic staff with the rank
1047 | or title of professor, associate professor, or assistant professor who are
1048 | tenured or receiving probationary credit toward tenure do have or will have
1049 | an appointment in another unit that is described within items (i) through (iii),
1050 | above, *then* formation or change of organization of the proposed or existing
1051 | unit is not required to be approved through the procedures in Article VIII,
1052 | Sections 3 and 4, below, but may be approved through the procedure in
1053 | Section 5, below.
1054 |

1055 **Section 3. Formation of New Units**

1056
1057 **a. Departments.**--- The formation of a new department or similar academic unit
1058 within a school or college may be proposed by the faculty or executive officer of that school or
1059 college. The president shall submit the proposal for the new unit together with the advice of the
1060 faculty of the school or college of each higher unit, taken and recorded by a vote of the faculty
1061 by secret written ballot in accordance with the bylaws of that unit, of the appropriate senate,
1062 taken and recorded by a vote of the senate, of the appropriate chancellor/vice president, and of
1063 the University Senates Conference to the Board of Trustees for action.

1064
1065 **b. Intermediate Units.**--- An academic unit of intermediate character, such as a
1066 school organized within a college, may be proposed by the faculty or the executive officer of the
1067 higher unit. The president shall submit the proposal for the intermediate unit together with the
1068 advice of the higher unit, taken and recorded by a vote of the faculty by secret written ballot in
1069 accordance with the bylaws of that unit, of the appropriate senate, taken and recorded by a vote
1070 of the senate, of the appropriate chancellor/vice president, and of the University Senates
1071 Conference to the Board of Trustees for action.

1072
1073 **c. Colleges and Independently Organized Campus Units.** A college or other
1074 independently organized campus unit, such as a school, institute, center, or similar campus unit
1075 not within a school or college, may be proposed by the appropriate senate or chancellor/vice
1076 president. The president shall submit the proposal for the unit together with the advice of the
1077 appropriate senate, taken and recorded by a vote of the senate, of the appropriate chancellor/vice
1078 president, and of the University Senates Conference to the Board of Trustees for action.

1079
1080 **d. Units Organized at the University Level.**--- Units organized at the university level,
1081 such as institutes, councils, and divisions, may be formed for the development and operation of
1082 teaching, research, extension, and service programs which are statewide or intercampus in their
1083 scope and which cannot be developed under a campus administration. Such an organization
1084 may be proposed by a senate, a chancellor/vice president, the University Senates Conference, or
1085 the president. The president shall submit the proposal for the new organization together with the
1086 advice of the appropriate senates, taken and recorded by a vote of each such senate, of the
1087 appropriate chancellors/vice presidents, and of the University Senates Conference to the Board
1088 of Trustees for action.

1089
1090 **e. Campuses.**--- The formation of a new campus may be proposed by the president,
1091 by a senate, or by the University Senates Conference. The president shall submit the proposal
1092 for the new campus together with the advice of the senates, taken and recorded by a vote of each
1093 senate, of the chancellors/vice presidents, and of the University Senates Conference to the Board
1094 of Trustees for action. If the proposal is adopted, the University Senates Conference shall serve
1095 as an advisory body to the president in developing procedures to implement the action of the
1096 board.

1097
1098 **Section 4. Changes in Existing Units**

1099
1100 From time to time, circumstances will favor changes in academic organization such as the
1101 termination, separation, transfer, merger, change in status (e.g., department to school), or

1102 | renaming of the academic units specified in Section 1.—The procedures for the various changes
1103 | shall be the same as those specified for formation of such a unit, except that the proposal may
1104 | originate in the unit(s) or at any higher administrative level.—The advice of each unit involved
1105 | shall be taken and recorded by vote of the faculty by secret written ballot in accordance with the
1106 | bylaws of that unit.—For transfer, merger, separation, and change in status (e.g., department to
1107 | school), the procedures shall be those applicable to the type of unit which would result.—Units
1108 | affected may communicate with the Board of Trustees in accordance with Article XIII, Section
1109 | 4, of these *Statutes*.
1110 |

1111 | **Section 5. Academic Units Not Requiring Board of Trustees Approval**

1112 |
1113 | Any proposal for creation or change in organization (such as termination, separation,
1114 | transfer, merger, or change in status) of any unit engaged in academic activities the creation of
1115 | which does not require Board of Trustees approval shall be referred to the executive committee
1116 | of the campus senate for its information and advice prior to approval by the appropriate
1117 | administrator.—If the unit is not organized within one campus of the University, the proposal
1118 | shall be referred to the University Senates Conference rather than to a senate executive
1119 | committee.—Academic staff appointments in such units may not be made to ranks subject to the
1120 | provisions of Article X, Section 1, governing appointments for an indefinite term as defined in
1121 | Article IX, Section 3c.
1122 |

1123 | **ARTICLE IX. ACADEMIC AND ADMINISTRATIVE**
1124 | **STAFFS**

1126 | **Section 1. Criteria for Employment and Promotion**

1127 |
1128 | The basic criteria for employment and promotion of all university staff, whether or not
1129 | subject to the act creating the University Civil Service System of Illinois, shall be appropriate
1130 | qualifications for and performance of the specified duties.—The principles of equal employment
1131 | opportunity are a part of the general policy of the University.—All federal and state laws related
1132 | to employment and selection, as well as, the University Non-Discrimination Statement, must be
1133 | followed when selecting candidates for employment and when selecting employees for
1134 | promotional opportunities.~~Unless otherwise provided by law, employees are to be selected and~~
1135 | ~~treated during employment without regard to political affiliation, relationship by blood or~~
1136 | ~~marriage, age, sex, race, creed, national origin, handicap, or status as a disabled veteran or~~
1137 | ~~veteran of the Vietnam era.~~
1138 |

1139 | **Section 2. Employment of Relatives**

1140 |
1141 | No individual shall initiate or knowingly participate in institutional decisions involving a
1142 | direct benefit (initial employment, retention, promotion, salary, leave of absence, etc.) to a
1143 | member of the individual’s immediate family.—“Immediate family” includes an individual’s
1144 | spouse, civil union partner, ancestors and descendants, all descendants of the individual’s

1145 | grandparents, and the spouse, or civil union partner, of any of the foregoing. – Each
1146 | chancellor/vice president shall develop for the approval of the president campus procedures to
1147 | insure against such conflict of interest.

1148 |
1149 | **Section (f) makes it a general policy for Board pre-approval of all faculty and**
1150 | **administrative appointments before they begin service. Other changes to these sections are**
1151 | **from HR.**
1152 |

1153 | **Section 3. Appointments, Ranks, and Promotions of the Academic and**
1154 | **Administrative Staff**

1155 |
1156 | **a.** All appointments, reappointments, and promotions of the academic staff, as defined
1157 | in Article IX, Section 4a, shall be made by the Board of Trustees on the recommendation of the
1158 | chancellor/vice president concerned and the president. – All appointments, reappointments, and
1159 | promotions of the administrative staff shall be made by the Board of Trustees on the
1160 | recommendation of the chancellor/vice president concerned if a campus-level officer is involved
1161 | and the president.

1162 |
1163 | **b.** Appointments shall be made solely on the basis of the special fitness of the
1164 | individual for the work demanded in the position and other university policies and guidelines
1165 | regarding recruitment, selection and promotion.
1166 |

1167 | **c.** The following ranks, and only these ranks, of the academic staff as defined in
1168 | Article IX, Section 4a, are subject to the provisions of Article X, Section 1: – professor, associate
1169 | professor, and assistant professor. – Modifying terms such as “research,” “adjunct,”
1170 | “specialized,” “clinical,” and “visiting” may be used in conjunction with these academic ranks
1171 | (e.g., “research professor,” “adjunct assistant professor,” “clinical associate professor,” “visiting
1172 | professor”); but no appointment for an indefinite term may be made in which a modifying term is
1173 | used in the academic rank. Furthermore, an appointment in which a modifier is used in the title
1174 | will not count toward completion of the probationary period, as provided in Article X, Section 1,
1175 | unless specially recommended by the executive officer of the unit and approved by the dean and
1176 | by the chancellor/vice president or an officer authorized to act for the chancellor/vice president.

1177 |
1178 | Other academic ranks recognized within the academic staff are: – (1) lecturer;
1179 | (2) instructor; (3) teaching associate, research associate, and clinical associate; (4) teaching
1180 | assistant, research assistant, and clinical assistant.

1181 |
1182 | Appropriate academic rank, with the rights and privileges pertaining thereto, may be
1183 | accorded members of the administrative staff. – This means that in addition to being members of
1184 | the administrative staff selected administrative officers may also hold appointments with
1185 | academic titles chosen from the ranks listed in the two preceding paragraphs.

1186 |
1187 | Special classes of positions within the academic staff may be established to meet
1188 | specialized professional or technical needs, in accordance with Article IX, Section 4a.

1189 |
1190 | **d.** Recommendation to positions on the academic staff shall ordinarily originate with
1191 | the department or in groups not organized as departments with the officers in charge of the work

1192 concerned and shall be presented to the dean of the college for transmission with the dean's
1193 recommendation to the chancellor/vice president. ~~Whenever the appointment or promotion of~~
1194 members of the academic staff is involved, ~~the dean~~ before making a recommendation the dean
1195 shall consult the chair or the head of the department after confirming that intra-departmental
1196 consultation procedures have been satisfied; if the college has no departments, the dean shall
1197 consult the executive committee of the college. ~~If the appointment involves a person who may~~
1198 be expected to offer courses carrying graduate credit, the dean of the college shall consult the
1199 dean of the Graduate College, who shall have the right to make an independent recommendation
1200 to the chancellor/vice president, and to the president.

1201
1202 e. In determining appointments to, and salaries and promotion of the academic staff,
1203 special consideration shall be given to the following: ~~(1) teaching ability and performance;~~
1204 ~~(2) research ability and achievement; and (3) ability and performance in continuing education,~~
1205 public service, committee work, and special assignments designed to promote the quality and
1206 effectiveness of academic programs and services.

1207
1208 f. Academic appointments requiring direct approval of the Board of Trustees include the
1209 President, University officers, deans, academic staff, the CEO of the University hospital,
1210 directors of intercollegiate athletics, head coaches for football and basketball. Board approval
1211 prior to the beginning date is required for all new administrative and faculty appointments.
1212

1213 **Section 4. Principles Governing Employment of Academic and** 1214 **Administrative Staffs**

1215
1216 The following principles shall govern the employment of the academic and
1217 administrative staffs of the University.

1218
1219 a. The academic staff which conducts the educational program shall consist of the
1220 teaching, research, scientific, counseling, and extension staffs; deans and directors of colleges,
1221 schools, institutes, and similar campus units; editors, librarians, and such other members of the
1222 staff as are designated by the president and the chancellors/vice presidents.

1223
1224 b. The members of the academic and administrative staffs shall be employed and
1225 salaries fixed by the Board of Trustees, except that members of the academic staff below the
1226 rank of assistant professor may be employed by the campuses. These appointments shall be
1227 reported to the board by the president. ~~president of the University who shall report such~~
1228 ~~appointments to the board.~~

1229
1230 c. Minimum salaries for the various ranks shall be determined each campus and
1231 accepted by the Board of Trustees. ~~The minimum for eleven months' service shall be~~
1232 approximately two-ninths greater than the minimum for the academic year.

1233
1234 d. The terms of employment for all members of the academic and administrative
1235 staffs shall be stated explicitly in the contract of employment.
1236

1237 | e. The academic year shall consist of that period of the year so determined by the
1238 | appropriate senate and approved by the appropriate chancellor/vice president, the president, and
1239 | the Board of Trustees.

1241 | f. For University Administration employees, University Administration may adopt and
1242 | administer policies and procedures in accordance with federal and state laws and university
1243 | policies/statutes to apply consistent practices for University Administration employees across the
1244 | three campuses and satellite offices.
1245 |

1246 | **Section 5. Services Rendered the University**

1247 |
1248 | a. No person employed on a full-time basis on the instructional or administrative
1249 | staffs of the University shall be assigned any other university work which does not naturally
1250 | come within the scope of that person's duties and for which additional compensation is to be
1251 | paid without the prior approval of the chancellor/vice president.

1252 |
1253 | b. No person employed by the University shall have any interests incompatible with
1254 | that person's obligations to the University, unless those activities/interests are guided by other
1255 | applicable University/Campus policies.
1256 |

1257 | c. Full-time employees shall not receive compensation for services with the
1258 | University in excess of a normal schedule except for a reasonable amount of instruction in
1259 | continuing education and public service programs, ~~or~~ for the grading of special examinations
1260 | (outside regular course work) stipulated by the University, or other specialized functions, all to
1261 | be done at a time that does not conflict with other university duties and that are not within their
1262 | home unit.— Exceptions may be made to this rule in special cases which are approved by the dean
1263 | or appropriate administrator of the college of which the employee is a member provided that if
1264 | such additional payments exceed a nominal amount the advance approval of the appropriate
1265 | administrator or chancellor/vice president shall be secured.— These exceptions shall be held to a
1266 | minimum.

1267 |
1268 | d. The responsibilities to the University of full-time members of the academic staff
1269 | are fulfilled by the performance appropriate to rank and terms of appointment of teaching,
1270 | scholarly research, continuing education and public service, and committee work and special
1271 | assignments.— Such staff members may carry on some outside professional or business activities
1272 | of an income-producing character so long as such activities are compatible and not in conflict
1273 | with University interests.— The head of the department of which the employee is a member
1274 | should know and approve of these activities outside the University.
1275 |

1276 | **Section 6. Severe Sanctions Other Than Dismissal for Cause for** 1277 | **Members of the Faculty**

1278 |
1279 | a. Severe sanctions other than dismissal for cause may be imposed on a member of
1280 | the faculty, as defined in Article II, Section 3a(1) of the *Statutes*, provided that procedures on a
1281 | campus adopted by the ~~campus~~-chancellor/~~campus~~-vice president in consultation with that
1282 | campus senate are followed.— In all cases, the chancellor/vice president or the chancellor/vice

1283 president's designee shall exercise the duties assigned to the President for academic staff who are
1284 members of campus units, and in all cases the process to be followed will be that of the campus
1285 on which the unit resides.
1286

1287 **b.** Campus procedures shall include, at a minimum,
1288

1289 **(1)** A determination by the provost or equivalent campus officer, in consultation
1290 with a committee identified by the senate, that cause exists to initiate proceedings that may result
1291 in the imposition of serious sanctions,
1292

1293 **(2)** Notice to the faculty member of the charges and initiation of the sanction
1294 proceedings,
1295

1296 **(3)** Opportunity for a hearing before an elected committee specified by the
1297 senate,
1298

1299 **(4)** Provision that a recommendation by the elected committee against sanction
1300 will be final,
1301

1302 **(5)** The opportunity for the faculty member to file an appeal with the
1303 chancellor/vice president within 20 days following the provost's or equivalent officer's decision
1304 to impose sanctions,
1305

1306 **(6)** An appeal process encompassing both substantive and procedural objections,
1307 and
1308

1309 **(7)** A process wherein the chancellor/vice president's decision on the merits of an
1310 appeal is final.
1311

1312 These campus procedures are the exclusive process for determining whether severe sanctions
1313 other than dismissal for cause may be imposed.
1314

1315 **c.** The campus procedures will be initiated only after discussions are held between the
1316 faculty member and appropriate administrative officers looking toward a mutual settlement.
1317 The initiation or pendency of proceedings under this Section 6 shall not be deemed to prevent or
1318 delay the University or any other person from pursuing any other remedy available to such
1319 person against the faculty member for conduct allegedly violating Section 6d below.
1320

1321 **d.** Adequate due cause for severe sanctions other than dismissal shall be restricted to
1322 actions clearly related to University activities and shall be limited to the following:
1323

1324 **(1)** Engaging in professional misconduct in the performance of University duties
1325 or academic activities,
1326

1327 **(2)** Neglecting or refusing to perform reasonable assigned academic duties,
1328

1329 (3) Violating senate-approved campus or University regulations or policies
1330 related to conduct of academic duties,

1331
1332 (4) Acting outside the appropriate exercise of University responsibilities so as
1333 willfully to physically harm, threaten physical harm to, harass or intimidate a visitor or a member
1334 of the University community with the effect of interfering with that person's performance of
1335 University duties or academic activities,

1336
1337 (5) Willfully damaging, destroying or misappropriating property owned by the
1338 University or any property used in connection with a University function or approved activity, or
1339

1340 (6) Conviction in a court of law for a felony that is clearly related to the
1341 performance of University duties or academic activities.

1342
1343 Findings of fact made in prior proceedings under policies established by the president with the
1344 advice of the senates and University Senates Conference under procedures described in
1345 Article XIII, Section 8 of the *Statutes* shall be presumed to have been established subject to
1346 rebuttal on grounds *inter alia* of the thoroughness and fairness of the proceeding giving rise to
1347 them.

1348
1349 e. When misconduct is determined to have occurred, a severe sanction other than
1350 dismissal consists of suspension with or without salary (full or partial) for a period not to exceed
1351 one-half of the individual's normal appointment period. During the suspension period, health
1352 and retirement benefits shall be maintained.

1353
1354 **Section 7. Sabbatical Leaves and Unpaid Leaves of Absence for**
1355 **Members of the Faculty**

1356
1357 a. On the recommendation of the head or chair of a department with the concurrence
1358 of the dean of the college or on recommendation of the dean or director of an independent
1359 campus unit and subject to approval by the chancellor/vice president, the president, and the
1360 Board of Trustees a member of the faculty who has the rank of professor, associate professor, or
1361 assistant professor and who has served the University for the periods indicated below on full-
1362 time appointment as an assistant professor or in higher rank since the faculty member's original
1363 appointment or since the termination of that faculty member's last leave on salary is eligible to
1364 apply for and may be granted a sabbatical leave of absence with pay for the purpose of study,
1365 research, or other pursuit, the object of which is to increase the faculty member's usefulness to
1366 the University. The following options are available:

1367
1368 (1) After completion of eight appointment years of full-time service:

1369
1370 Two semesters at 2/3 salary

1371 **Or**

1372 One semester at full salary

1373
1374 (2) After completion of six appointment years of full-time service:
1375

1376 Two semesters at ½ salary
1377 **Or**
1378 One semester at full salary
1379

1380 **(3)** After completion of three or four appointment years of full-time service, in
1381 cases where the interest of the department and the University would clearly be served thereby,
1382 and provided that granting of leave does not involve expense to the University in excess of the
1383 portion of salary which is released in consequence of taking such leave, the following options are
1384 available:

1385
1386 After three years:— One semester at ½ salary
1387

1388 After four years:— One semester at 2/3 salary
1389

1390 **(4)** Faculty on “Y” (11 month) appointments may be granted sabbatical leaves,
1391 subject to the other general conditions of this section as follows:— After completion of nine years
1392 of full-time service, three-fourths of an appointment year at full pay; after completion of eight
1393 years of full-time service, one appointment year at two-thirds pay or two-thirds of an
1394 appointment year at full pay; after completion of six years of full-time service, one appointment
1395 year at half pay or one-half appointment year at full pay; after completion of four years, one-half
1396 appointment year at two-thirds pay; after completion of three years, one-half appointment year at
1397 half pay or one-fourth appointment year at full pay.
1398

1399 **b.** In recommending a leave with pay according to any of the options provided above,
1400 it shall be understood by all recommending officers concerned that the department in which the
1401 applicant is teaching or working undertakes, so far as is practicable, to carry on during the
1402 applicant’s absence without increase in the departmental budget such part of the applicant’s work
1403 as the interests of the department and of the University require to be continued without
1404 interruption during the period of absence.
1405

1406 **c.** Service credit for leave of absence with pay is not cumulative unless otherwise
1407 provided for in special cases.— Each person who has been on leave of absence shall on the
1408 termination of the leave make a report through the usual official channels of communication to
1409 the chancellor/vice president concerning the nature of the studies, research, or other work
1410 undertaken during the period of absence.
1411

1412 **d.** A member of the faculty to whom any such leave of absence has been granted shall
1413 agree to return to the University on the expiration of the leave and to remain in its service for at
1414 least one year thereafter; and the University, on its part, shall agree to retain the faculty member
1415 in its service for the period of one year after the faculty member’s return.
1416

1417 **e.** Leaves of absence granted in accordance with the foregoing terms and conditions,
1418 with the privileges pertaining thereto, are given to members of the faculty primarily for the
1419 purpose of enabling them to acquire additional knowledge and competency in their respective
1420 fields.— No one to whom a leave of absence with pay has been granted shall be permitted while
1421 on such leave to accept remunerative employment or engage in professional practice or work for
1422 which pecuniary compensation is received.— This prohibition, however, shall not be construed to
1423 forbid a faculty member while on leave from giving a limited number of lectures or doing a
1424 limited amount of work.— But, in such cases, the approval of the chancellor/vice president to the

1425 | giving of the lectures or the doing of other work shall be required.—Nor shall the prohibition be
1426 | interpreted to forbid the acceptance by a faculty member, while on leave, of a scholarship or
1427 | fellowship carrying a stipend for the purpose of study, research, or scientific investigation or the
1428 | acceptance of a grant of money made for such purposes, provided that the acceptance of the
1429 | grant does not impose on the recipient duties and obligations the performance of which would be
1430 | incompatible with the pursuit of the general purpose for which leaves of absence are granted.

1431 |
1432 | **f.** The president shall establish regulations and procedures necessary for the
1433 | administration of these provisions and is authorized to make appropriate adjustments in the terms
1434 | of leave with pay to ensure equitable benefits for members of the faculty in exceptional cases
1435 | where special consideration is warranted.

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g. Leaves of absence without pay.—On the recommendation of the head or chair of a department with the concurrence of the dean of the college or on the recommendation of the dean or director of an independent campus unit, a member of the faculty may be granted a leave of absence without pay by the chancellor/vice president for a period of one year or less.—Such a leave may be renewed in special circumstances ordinarily for not more than one year.—As recommended and agreed upon in advance, time spent on a leave of absence without pay under circumstances which allow for the pursuit of academic activities ordinarily counts toward the probationary period of a faculty member on definite tenure, while time spent on a leave of absence without pay under circumstances which do not allow for the pursuit of academic activities does not ordinarily count toward the probationary period of a faculty member on definite tenure.—As recommended and agreed upon in advance, time spent on a leave of absence without pay under circumstances which do not provide service to this University does not ordinarily count in establishing eligibility for a sabbatical leave with pay.

1452 **Section 8. Graduate Work of Academic ~~Staff Members~~ Employees**

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No person shall be admitted to candidacy for an advanced degree in a department or division of the University who holds an appointment as professor, associate professor, or assistant professor in that department or division.—Likewise, no person while engaged in graduate study shall be appointed to the rank of assistant professor or higher in the department or division of that graduate study.

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A person in or accepting the rank of assistant professor or higher on a campus of the University may continue in or be admitted to advanced degree candidacy in a department or unit other than the person’s appointing department or unit upon the special approval of the executive officer of each department or unit involved and the executive committee of the Graduate College if one exists on the campus.

Rationale: Section (c) is modified to make it consistent with Article II, Section 3(a).

1467 **Section 9. Privileges of Retired Members of the Academic Staff**

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a. A retired staff member who is provided with research assistance shall at the end of each academic year report to the chancellor/vice president, in at least general terms, on the work accomplished during the year.—In no case may a research assistant be provided to a retired staff member for a longer period than one year at a time and such assistant may be continued only if the annual report of work shows progress or promise.

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b. With the approval of the department head or chair and of the dean of the Graduate College and of the chancellor/vice president, a retired faculty member may offer conferences with graduate students if such retiree had offered similarly related graduate courses before retirement.

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1482

c. Retired faculty members may participate in meetings of their college or school faculties, if provided for in the bylaws of the unit, but shall have no vote.

1483 d. University policies and procedures related to rehiring SURS annuitants must be
1484 followed.
1485

1486 **Section 10. Dismissal of Administrative Officers**

1487
1488 **a.** In the exercise of its authority to dismiss or request the resignation of
1489 administrative officers (who are not eligible for notice rights) from their administrative positions,
1490 the Board of Trustees may take such action in respect to such officer prior to the expiration of the
1491 term for which the individual was appointed only after presentation by the board to the officer
1492 affected of a statement of the reasons accompanied by the facts in support thereof upon which
1493 the proposed action is based, together with notice served by registered mail of the time and place
1494 of the hearing thereon which shall be not less than 30 days after the date of notice.—A copy of
1495 the statement and notice shall be sent by registered mail to each member of the Board of Trustees
1496 at least 30 days prior to the hearing.

1497
1498 **b.** The officer shall have the right to appear at the hearing, with counsel if desired, to
1499 comment on the reasons and to present evidence.—The board shall not be bound by formal or
1500 technical rules of evidence and its decision shall be final.

1501
1502 **c.** In designating the effective date of dismissal or requested resignation, the board
1503 shall give due consideration to the time reasonably required for the adjustment of the officer’s
1504 personal affairs.

1505
1506 Note: the following changes are from HR to update current practice.

1507 **Section 11. Employment of Academic Professional Staff**

1508
1509 a. For University Administration employees, University Administration may adopt
1510 and administer policies and procedures in accordance with federal and state laws and
1511 university policies/statutes to apply consistent practices for University Administration
1512 employees across the three campuses and satellite office.

1513 ~~a.—Employment policies applicable to an academic professional employee at the~~
1514 ~~university level shall be those of the campus at which the employee’s principal office is located.~~
1515

1516 a.b. Notice of nonreappointment to the full-time academic professional staff, as defined
1517 in Article II, Section 5, shall be given as follows:
1518

1519 1. Except as provided in 2 and 3 below, written notice of nonreappointment
1520 shall be given by the Board of Trustees to academic professional employees in accordance
1521 with the following schedule:

1522

Length of Full-Time Service to the University (in full appointment years completed)	Minimum Notice of Nonreappointment
Less than 4 years	6 Months
4 years or over	12 Months

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2. Written notice of nonreappointment shall be given by the Board of Trustees to an academic professional employee on an appointment which notes that it is subject to receipt of funds in accordance with the following schedule.

1531

For appointments made “subject to receipt of funds” (such as those from grants or contracts), the University reserves the right to terminate the appointment prior to the Period of Payment End Date if the grant(s) or other sources of funding for the position has ended For such appointments, the University reserves the right to terminate the appointment prior to the Period of Payment End date if the grant or source of funds for the position becomes unavailable, and will provide prior notice, if applicable, in accordance with the notice periods set forth in Article IX of the University of Illinois Statutes.

1538

1539

For an academic professional employee who is entitled to notice of non-reappointment and whose position is supported by multiple sources of funds, calculation of minimum length of notice of non-reappointment will be based on the relevant funds for the portion of the appointment for which a notice of non-reappointment is issued, or on the predominant source of funds in the case of elimination of the position:

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Length of Full-Time Service to the University (in full appointment years completed)	Minimum Notice of Nonreappointment
Less than 4 years	2 Months
4 years or over	6 Months
Plus 1 additional month for each additional full appointment years of service to a maximum of 12 months’ notice	
10 years	12 Months

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3. Written notice of nonreappointment shall be given by the Board of Trustees to an academic professional employee who is the director of intercollegiate athletics or a coach of an intercollegiate athletic team in accordance with the following schedule:

1560

1561

1562

1563

Length of Full-Time Service to the University (in full appointment years completed)	Minimum Notice of Nonreappointment
Less than 4 years	3 Months
4 years or over	6 Months

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4. In cases where the time remaining in the appointment year is less than the required minimum notice period, the notice of nonreappointment shall be accompanied by an offer from the Board of Trustees of a terminal contract for an additional appointment which will extend the current appointment through the period of minimum notice, *viz.*, 2 months, 6 months or 7-12 months.

5. Computation of length of service will be on the basis of continuous employment in campus academic administrative and professional positions (or similar service at the University level for employees of the university administration).—On a case-by-case basis, credit may be given for all or part of their relevant experience in other University of Illinois position.

6. Excepted from the above provisions are the following administrative officers:—the President of the University; chancellors/vice presidents, *other vice presidents*, provosts or equivalent officers, and vice chancellors; the officers of the Board of Trustees who are University employees; other university officers; and the deans, directors, heads, and chairs of academic units.—Academic professional staff whose title includes “visiting,” “acting,” “interim,” or “adjunct” are also excepted from the above provisions.

Section 12. Dismissal of Academic Staff with Multi-Year Appointments Under Article X, Section 1(a), Paragraphs (6) and (7)

a. Members of the academic staff with multi-year appointments, as defined under Article X, Section 1(a), Paragraphs (6) and (7), of the *Statutes*, may be dismissed for cause prior to the conclusion of the multi-year appointment in accordance with campus procedures, which shall be adopted by each chancellor/vice president in consultation with the applicable campus senate.—In all cases, the chancellor/vice president or the chancellor/vice president's designee shall exercise the duties assigned to the president for academic staff who are members of campus units, and in all cases the process to be followed will be that of the campus on which the unit resides.

b. Campus procedures shall include, at a minimum, notice and opportunity for a hearing before the campus provost or equivalent officers or the provost's or equivalent officer's designee.

c. Adequate cause for dismissal shall be limited to the following:
(1) Failing to perform contractual duties or related activities in a professional manner, whether from incompetence, neglect or willful refusal;

- 1607 (2) Failing to follow all applicable campus or University regulations or policies,
1608 and all applicable laws related to the conduct of contractual duties;
1609
- 1610 (3) Acting outside the appropriate exercise of University responsibilities so as to
1611 willfully cause or threaten to cause physical harm to, harass or intimidate a visitor or a member
1612 of the University community;
1613
- 1614 (4) Willfully or negligently damaging, destroying or misappropriating property
1615 owned by the University or any property used in connection with a University function or
1616 approved activity; or
1617
- 1618 (5) Being convicted of or pleading guilty to a felony.
1619

1620 **ARTICLE X. ACADEMIC FREEDOM AND TENURE**
1621

1622 **Section 1. Tenure of Academic Staff**
1623

1624 a. Except under unusual circumstances evidenced by a special written agreement
1625 approved by the President of the University and the appointee, the tenure status for the academic
1626 ranks of professor, associate professor, and assistant professor shall be as provided in this
1627 section.—The parts of Article X, Sections 1a and 1b, hereof relating to the probationary period or
1628 indefinite tenure do not apply to academic ranks other than those mentioned in the preceding
1629 sentence; nor to appointments at any rank which involve no salary or obligation to render
1630 services; nor to appointments for fifty percent (50%) or less of full-time service at ranks other
1631 than professor or associate professor; nor to appointments for less than seventy-five percent
1632 (75%) of full-time service during any period when the appointee is a candidate for a degree at
1633 this University.
1634

1635 In the case of academic staff positions authorized in Article IX, Sections 3c and 4a other
1636 than appointments at the rank of professor, associate professor, assistant professor, dean,
1637 director, department head, and department chair, appointments shall be for not longer than the
1638 terms specified in this Section.—Contracts shall be renewable at the discretion of the hiring unit.
1639 Except as provided in Sections 7 and 8, below, notice of nonreappointment is not required.
1640 Dismissal prior to the end of the contract term shall be governed by Article IX, Section 12.
1641

1642 Each chancellor/vice president shall, with the advice and consent of the local campus
1643 senate, develop implementing procedures for multi-year contract appointments governed by this
1644 Section.—Such implementing procedures shall include, at a minimum, (i) a binding ceiling, on a
1645 campus-wide basis, on the proportion of multi-year contract appointments to the sum of multi
1646 year contract appointments and appointments that are tenured or earning probationary credit
1647 toward tenure; (ii) assignment of oversight responsibility to an appropriate campus senate
1648 committee; and (iii) the procedures for dismissal required under Article IX, Section 12(b), above.
1649

1650 (1) An appointment as professor or associate professor shall be for an indefinite
1651 term except that first appointments or temporary appointments may be made for shorter periods.
1652 An appointment at either of these ranks for fifty percent (50%) or less of full-time service shall

1653 be for an indefinite term at the specified percentage except that such first appointments or
1654 temporary appointments may be for definite terms.

1655
1656 (2) During the probationary period defined in Article X, Section 1b (1), an
1657 appointment as assistant professor shall be for not more than two years.

1658
1659 (3) An appointment for an indefinite term may require full-time service or some
1660 percentage of full-time service by the appointee. – Completion of a probationary period shall
1661 entitle the appointee to indefinite tenure status at the lowest percentage (more than 50%) of full-
1662 time service counted toward completion of the probationary period. – An appointee for an
1663 indefinite term and the Board of Trustees may at any time agree in writing to increase or to
1664 decrease the percentage of full-time service to be required of the appointee and the indefinite
1665 tenure status shall then apply to the new percentage of full-time service. – An agreement that a
1666 full-time appointee for an indefinite term shall thereafter serve on a part-time basis shall specify
1667 either (a) that the appointment for an indefinite term will thereafter relate solely to service on the
1668 agreed part-time basis; or (b) that the appointee will return to full-time service for an indefinite
1669 term on a specified date.

1670
1671 These agreements are subject to modification by written consent of the appointee and the
1672 Board of Trustees. – An appointee who has previously been on indefinite tenure status at this
1673 University shall not be required to serve a probationary period in order to regain that status.

1674
1675 This subsection, 1a (3), does not apply to sabbatical leaves of absence or to leaves of
1676 absence without pay.

1677
1678 (4) An academic staff appointment with the rank of clinical assistant, research
1679 assistant, or teaching assistant shall be for not longer than one year and notice of
1680 nonreappointment is not required. – Appointments at these ranks may be conditional upon the
1681 availability of funds if so specified in the notice of appointment.

1682
1683 (5) An appointment which includes in the title the term “visiting,” as authorized
1684 in the first paragraph of Article IX, Section 3c, shall be for not longer than one year.

1685
1686 (6) An appointment which includes in the title the term “adjunct,” or “clinical,”
1687 modifying the term “professor,” “associate professor” or “assistant professor,” as authorized in
1688 the first paragraph of Article IX, Section 3c, or an appointment with the rank of lecturer or
1689 instructor shall be for not longer than three years.

1690
1691 (7) An appointment with the rank of teaching associate, research associate,
1692 clinical associate, or which includes in the title the term “research” modifying the term
1693 “professor,” “associate professor” or “assistant professor,” as authorized in the first paragraph of
1694 Article IX, Section 3c, shall be for not longer than three years. – The duration of the appointment
1695 shall be specified in the Notification of Appointment. – Where no duration is specified,
1696 appointment shall be for one year. – Written notice of nonreappointment is required in the case of
1697 full-time appointments at these ranks other than appointments that are for no more than one year,
1698 nonsalaried, part-time, or conditional upon the receipt of nonappropriated funds (as specified in
1699 the notice of appointment). – The notice need not be accompanied by an offer of a terminal
1700 contract if the notice is given not later than six months before the end of an annual appointment
1701 or by March 1 in the case of an academic-year appointment. – If notice of nonreappointment in

1702 such cases is given later than six months before the end of an annual appointment or after March
1703 1 in the case of an academic-year appointment, it shall be accompanied by an offer from the
1704 Board of Trustees of a terminal contract for one additional year of service. ~~–~~ In the case of multi-
1705 year contracts, notice, as described above, is required only in the final year of the contract. ~~–~~ If no
1706 notice is given before the end of an appointment that exceeded one year, the renewal
1707 appointment shall have a duration of one year.

1708
1709 **(8)** An appointment at the rank of any of the other special classes of academic
1710 staff authorized under Article IX, Sections 3c and 4a, shall be for not longer than one year and
1711 shall be governed by the conditions prescribed in the preceding subparagraph, 1a.

1712
1713 **b.** Upon the completion of a probationary period as hereafter defined, any
1714 reappointment shall be for an indefinite term, subject to the following:

1715
1716 **(1)** An appointee receiving a first contract for more than fifty percent (50%) of
1717 full-time service at this University as assistant professor enters a probationary period not to
1718 exceed seven academic years of service except when, by special written agreement between the
1719 appointee, the unit administrator and the chancellor/vice president, the appointee is granted a
1720 one-year interruption of the probationary period before the year in which a decision on the
1721 appointment to indefinite tenure is expected to be made. Ordinarily no more than two such
1722 interruptions will be granted. ~~–~~ Prior academic service at other academic (or equivalent)
1723 institutions may be counted up to a maximum of three years toward the fulfillment of the
1724 probationary period. ~~–~~ The amount of any such service counted may be negotiated as may other
1725 terms of the appointment and shall be stated in the first appointment contract, as provided for all
1726 contracts for definite terms in subparagraph 1b(5) below. ~~–~~ An initial appointment that begins
1727 after the eighth week of the academic year ordinarily does not count toward the probationary
1728 period of a faculty member on definite tenure nor does it ordinarily count as service in
1729 establishing eligibility for a sabbatical leave with pay, unless recommended and agreed upon in
1730 advance.

1731
1732 **(2)** No appointment at the rank of assistant professor shall be for an
1733 indefinite term.

1734
1735 **(3)** An appointee for a definite term shall be given in the sixth year of the
1736 probationary period either written notice offering appointment for an indefinite term or written
1737 notice of nonreappointment no later than August 15 at all three campuses.

1738
1739 **(4)** At any time except during the last year of the probationary period, an
1740 assistant professor on a definite-term appointment may be given written notice of
1741 nonreappointment. ~~–~~ Except in the case of an assistant professor who is in the first year of
1742 academic service at this University, (a) written notice of nonreappointment shall be given not
1743 less than twelve months before the expiration of the appointment; or (b) if given less than twelve
1744 months before the expiration of the appointment, written notice of nonreappointment shall be
1745 accompanied by an offer from the Board of Trustees of a terminal contract for one additional
1746 year of academic service. ~~–~~ In the case of an assistant professor on a definite-term appointment
1747 who is in the first year of academic service at this University, written notice of nonreappointment
1748 shall be given not later than March 1 and need not be accompanied by an offer of a terminal
1749 contract; if written notice of nonreappointment is given after March 1, it shall be accompanied by
1750 an offer from the Board of Trustees of a terminal contract for one additional year of service.

1751
1752 **(5)** The total amount of service counted toward completion of the probationary
1753 period, including both service at other institutions and prior service at this University, shall be
1754 stated in every contract for academic service for a definite term.—In the event that an appointee
1755 for a definite term is not given notice of appointment for an indefinite term or notice of
1756 nonreappointment as required by subparagraph 1b (3) above, but instead is given notice of
1757 reappointment for a definite term beginning after or extending beyond the expiration of the
1758 probationary period, such reappointment shall be for a term extending to the end of the academic
1759 year following the academic year in which either (a) the Board of Trustees gives the appointee
1760 written notice of nonreappointment as specified above in subparagraph 1b(4), or (b) the
1761 appointee gives written notice to the dean or department head that the appointee is about to
1762 complete or has completed the probationary period and either is or will be entitled to have any
1763 reappointment be for an indefinite term.

1764
1765 **(6)** An appointment for a definite term does not carry any guarantee or
1766 implication that the Board of Trustees will renew the appointment even though the duties of the
1767 appointee may have been discharged satisfactorily.—An appointment for a definite term, if
1768 accepted, must be accepted with this stipulation.

1769
1770 **c.** Tenure may be terminated by (1) honorable retirement; (2) acceptance of
1771 resignation; (3) dismissal for due cause.

1772
1773 **d.** Due cause for dismissal shall be deemed to exist only if (1) a faculty member has
1774 been grossly neglectful of or grossly inefficient in the performance of the faculty member's
1775 university duties and functions; or (2) with all due regard for the freedoms and protections
1776 provided for in Article X, Section 2, of these *Statutes*, a faculty member's performance of
1777 university duties and functions or extramural conduct is found to demonstrate clearly and
1778 convincingly that the faculty member can no longer be relied upon to perform those university
1779 duties and functions in a manner consonant with professional standards of competence and
1780 responsibility; or (3) a faculty member has while employed by the University illegally advocated
1781 the overthrow of our constitutional form of government by force or violence.

1782
1783 **e.** Proceedings seeking the dismissal before the expiration of the term of appointment
1784 of an appointee to the academic staff who is on definite tenure or of an appointee to the academic
1785 staff who is on indefinite tenure shall comply with the procedures described in the following
1786 provisions of this section:

1787
1788 **(1) Charges.—** When it shall appear to the president that cause for the dismissal
1789 of an appointee may exist, the president shall consult with the Faculty Advisory Committee.
1790 The president, after such consultation, shall determine whether dismissal proceedings should be
1791 instituted.—Charges looking to dismissal shall be preferred by statement in writing by the
1792 president or the president's designee and shall be filed with the clerk or secretary of the senate
1793 within thirty days after the consultation with the Faculty Advisory Committee.—The statement
1794 shall be sufficiently specific reasonably to inform the appointee of the nature of the charges and
1795 enable the appointee to present a defense to them.

1796
1797 **(2) Service.—** The clerk or secretary of the senate shall cause a copy of the
1798 statement of the charges and a copy of Article X, Sections 1 and 2, of the *Statutes* to be delivered
1799 to the appointee personally or mailed to the appointee's last known post office address by

1800 registered mail within five days after they have been filed with the clerk or secretary of the
1801 senate.

1802
1803 (3) *Request for Hearing.*— Within fifteen days after such service of a copy of
1804 the statement of charges, the appointee may file with the clerk or secretary of the senate a request
1805 for a hearing before the Committee on Academic Freedom and Tenure of the appropriate
1806 campus; and within ten days after filing such request, the appointee shall file with the clerk or
1807 secretary of the senate a detailed written answer to the statement of grounds for dismissal.— The
1808 clerk or secretary of the senate shall promptly transmit the statement of charges, the answer
1809 thereto, and the request for a hearing to the chair of the Committee on Academic Freedom and
1810 Tenure and copies of the answer and request for a hearing to the president.

1811
1812 (4) *Notice of Hearing.*— Notice of the time and place of the hearing before the
1813 Committee on Academic Freedom and Tenure, which hearing shall be not less than twenty days
1814 after the filing of the appointee’s request, shall be delivered on the same date to the appointee
1815 and the president, either personally or by registered mail.— The date of the hearing shall be not
1816 less than fifteen days from the date of such delivery or of such mailing of the notice of hearing.

1817
1818 (5) *Hearing.*— At the time and place fixed, the Committee on Academic
1819 Freedom and Tenure shall hold a closed hearing on the charges.— No member of that committee
1820 shall sit in a case that involves a colleague of that committee member’s department, school,
1821 institute, or division, whichever represents the smallest administrative unit, nor shall a member
1822 sit in a case if the member has previously acted on another committee while it considered the
1823 pending matter.— A majority of the members of the committee shall constitute a quorum for the
1824 conduct of the hearing and the chair of the committee may appoint another member of the
1825 committee to preside over the hearing.— If vacancies occur, as many members as are necessary to
1826 constitute a quorum shall be appointed in accordance with the bylaws of the appropriate senate.
1827 Except as hereinbefore or hereinafter provided, the hearing shall be conducted according to such
1828 rules as the committee may from time to time establish.— The committee shall not be bound by
1829 technical rules of evidence, but all findings, conclusions, and recommendations of the committee
1830 shall be supported by and be in accord with substantial evidence.— The appointee shall be entitled
1831 to be present at all sessions of the committee when evidence is being received and to be
1832 accompanied by an adviser of the appointee’s choice who may act as counsel.— Likewise, the
1833 president or the president’s designee, together with counsel if the president desires counsel, shall
1834 be entitled to be present at all sessions of the committee when evidence is being received.— Each
1835 party shall have the right within reasonable limits to question witnesses and, when all the
1836 evidence has been received, to make an argument in support of its position, either in person or by
1837 counsel.— A full stenographic transcript shall be made of the hearing unless both parties agree to
1838 the making of a record in a briefer form.

1839
1840 (6) *Findings, Conclusions, and Recommendations.*— Following the conclusion
1841 of the hearing, the committee shall promptly make its explicit findings of fact on each charge, its
1842 conclusions, and its recommendations.— Reasonable opportunity shall be given to each party to
1843 file a written statement setting forth objections to these findings, conclusions, and
1844 recommendations and setting forth the grounds for such objections.— A copy of one party’s
1845 objections shall be given to the other party.— The originals of the findings, conclusions, and
1846 recommendations, and of the hearing transcript shall be forwarded by the committee to the
1847 president and copies shall be promptly transmitted by the committee to the appointee.

1848

1849 | If ultimately the appointee requests a hearing before the Board of Trustees, the originals
1850 | or copies of the statement of charges filed by the president or the president's designee with the
1851 | clerk or secretary of the senate, the request for a hearing, the answer to the statement of charges,
1852 | the notice of the time and place of hearing, the transcript or briefer record of the hearing, any
1853 | exhibits received in evidence, the findings, conclusions, and recommendations of the committee,
1854 | and any objections to such findings, conclusions, and recommendations shall constitute the
1855 | record before the Committee on Academic Freedom and Tenure to be submitted to the board.
1856 | The record shall be available to the Board of Trustees, to counsel for the appointee, and to
1857 | counsel for the University, but shall not be available to other persons prior to the hearing before
1858 | the board.— If the committee recommends that charges be dropped and the president concurs, the
1859 | case shall be considered closed.

1860 |
1861 | **(7) *Hearing by Board of Trustees.***— Within thirty days after transmittal of the
1862 | findings, conclusions, and recommendations of the Committee on Academic Freedom and
1863 | Tenure, or if the appointee filed no request for a hearing before that committee within fifteen
1864 | days after the expiration of the period specified in subparagraph 1e(3) for the filing of such a
1865 | request, the president may cause the charges to be filed with the Secretary of the Board of
1866 | Trustees along with the findings, conclusions, and recommendations, if any, of the Committee on
1867 | Academic Freedom and Tenure and the record of the hearing before the committee, if one was
1868 | held.— Notice of such filing of charges shall be delivered to the appointee personally or shall be
1869 | mailed to the appointee by the Secretary of the Board of Trustees by registered mail within five
1870 | days after such filing.— Within ten days after such delivery or mailing of notice of the filing of
1871 | the charges with the Secretary of the Board of Trustees, the appointee may file with the Secretary
1872 | of the board a written request for a hearing before the Board of Trustees.— Notice of the time and
1873 | place of the hearing which hearing shall be not less than twenty days after the date of the filing
1874 | of the appointee's request shall be delivered to the appointee personally or mailed to the
1875 | appointee by registered mail.— The date of the hearing shall be not less than fifteen days from the
1876 | date of such delivery or mailing of the notice of hearing to the appointee.— The appointee shall
1877 | have the right to appear at the hearing, with counsel if desired, to reply to the charges and to
1878 | present evidence.— Counsel for the University shall represent the university administration at the
1879 | hearing and shall have the right to present evidence in support of the charges.— The board shall
1880 | not be bound by technical rules of evidence in hearing and deciding the case.

1881 |
1882 | The board will give due consideration to the findings, conclusions, and recommendations
1883 | of the Committee on Academic Freedom and Tenure, and the remainder of the record relevant to
1884 | the charges before said committee, and in all cases where a report was made by the committee
1885 | will invite a member of the committee designated by its chair to attend the hearing and make a
1886 | statement before the board.

1887 |
1888 | If the board concludes that the appointee should be dismissed or asked to resign, the
1889 | effective date of such dismissal or resignation shall not be less than one year from the date of the
1890 | board's decision unless the board, in its discretion, determines that an earlier effective date is
1891 | justified by the gravity of the appointee's conduct in question.

1892 |
1893 | **(8) *Reassignment of Duties.***— Under exceptional circumstances and when such
1894 | action is clearly necessary and justified, the president may direct that a faculty member be
1895 | relieved of some or all of the faculty member's university duties and functions and reassigned to
1896 | others without prejudice and without loss of compensation pending the final decision of the case,
1897 | subject to the following provisions:— (a) the president may reassign duties before the filing of

1898 any charges only after giving notice to the chair or in the absence of the chair from the
1899 University to some member of the Faculty Advisory Committee that the president believes that
1900 cause for dismissal may exist; (b) if the president reassigns duties after so giving notice to the
1901 chair or some member of the Faculty Advisory Committee, such reassignment shall terminate
1902 within thirty days after that committee has made its recommendations to the president unless the
1903 president initiates dismissal proceedings by the filing of charges for dismissal within that thirty-
1904 day period; and (c) if the president initiates dismissal proceedings by filing charges for dismissal,
1905 the president may reassign duties or extend a previous reassignment of duties until the
1906 termination of those proceedings or until the effective day of dismissal if the proceedings should
1907 result in dismissal.

1908
1909 **(9) Publicity.**— So far as possible public statements about a case under
1910 consideration should be avoided until completion of the proceedings.
1911

1912 **Section 2. Academic Freedom**

1913
1914 **a.** It is the policy of the University to maintain and encourage full freedom within the
1915 law of inquiry, discourse, teaching, research, and publication and to protect any member of the
1916 academic staff against influences, from within or without the University, which would restrict
1917 the member's exercise of these freedoms in the member's area of scholarly interest.—The right to
1918 the protection of the University shall not, however, include any right to the services of the
1919 university counsel or the counsel's assistants in any governmental or judicial proceedings in
1920 which the academic freedom of the staff member may be in issue.

1921
1922 **b.** As a citizen, a faculty member may exercise the same freedoms as other citizens
1923 without institutional censorship or discipline.—A faculty member should be mindful, however,
1924 that accuracy, forthrightness, and dignity befit association with the University and a person of
1925 learning and that the public may judge that person's profession and the University by the
1926 individual's conduct and utterances.

1927
1928 **c.** If, in the president's judgment, a faculty member exercises freedom of expression
1929 as a citizen and fails to heed the admonitions of Article X, Section 2b, the president may publicly
1930 disassociate the Board of Trustees and the University from and express their disapproval of such
1931 objectionable expressions.

1932
1933 **d.** A staff member who believes that he or she does not enjoy the academic freedom
1934 which it is the policy of the University to maintain and encourage shall be entitled to a hearing
1935 on written request before the Committee on Academic Freedom and Tenure of the appropriate
1936 campus senate.—Such hearing shall be conducted in accordance with established rules of
1937 procedure.—The committee shall make findings of facts and recommendations to the president
1938 and, at its discretion, may make an appropriate report to the senate.—The several committees
1939 may from time to time establish their own rules of procedure.
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1941

1942 **ARTICLE XI. STUDENT AFFAIRS AND DISCIPLINE**

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1944 **Section 1. Student Affairs**

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a. The senates shall be responsible for the development of appropriate recommendations regarding policies on student affairs at their respective campuses.—Each senate shall ensure the opportunity for substantial student involvement in the development of these recommendations.

b. Upon recommendation of the chancellor/vice president and with the concurrence of the president, the Board of Trustees may appoint annually a vice chancellor or other officer who shall have general supervision over those services provided on that campus to assist students in their personal and social development.—The responsibility and authority of this officer shall be determined by the chancellor/vice president.—On the occasion of each appointment of any such officer, the chancellor/vice president shall seek the advice of the executive committee of the campus senate.—The executive committee shall ensure the opportunity for substantial student involvement in the development of its advice.

c. Under the general supervision of the officer provided for in Section 1b above, the ~~Graduate College, the College of Law, the College of Veterinary Medicine, the College of Medicine, and other~~ colleges comprising ~~of~~ post-baccalaureate students shall be responsible respectively for the supervision of student affairs excluding discipline in those colleges.

1965 **Section 2. Student Discipline**

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a. Each senate shall establish a committee or other body concerned with student discipline.—This body may appoint one or more subcommittees on which unless the senate determines otherwise there shall be voting student representatives.—These subcommittees shall have original jurisdiction to hear and render decisions in all disciplinary cases unless the body determines to exercise original jurisdiction.—The decision of a subcommittee not appealed to the body shall be final.—The body shall hear and take action for the senate in cases in which it exercises original jurisdiction and in cases appealed to it from its subcommittees.—The body shall formulate and adopt after consultation with the legal counsel disciplinary and hearing procedures which shall be followed in all undergraduate student disciplinary proceedings.—In hearing and deciding any appeal, this body may conduct a hearing *de novo* or may act solely upon the record in the case before the subcommittee as the body, in its discretion, may determine.

b. Discipline for students enrolled in graduate and graduate-professional colleges shall be administered by this body which, after consulting the dean of the college concerned, shall appoint a subcommittee on discipline for the students enrolled in that college.—These subcommittees are to act in accordance with the provisions of Article XI, Section 2a.

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c. In disciplinary proceedings stemming from group infractions involving more than one category of student (undergraduate, graduate, professional), the hearing and review bodies as well as the procedures employed shall be common to all categories of students involved.

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ARTICLE XII. RESEARCH AND PUBLICATION

Rationale: This revision maintains the provision for ample consultation, but leaves the number of members to the campus.

Section 1. Campus Research Board

Each campus shall maintain a Campus Research Board, whose functions shall include: (1) making recommendations concerning policies for distribution of research board funds; (2) making assignments of research board funds to individual and group research projects; (3) advising the chancellor/vice president and the vice chancellor responsible for research on any other matters submitted to the board. The members of the Campus Research Board shall be appointed by the chancellor/vice-president after consultation with the vice chancellor responsible for research, the executive committee of that campus's senate, and, on campuses with graduate colleges, the dean of the graduate college.

~~_____a._____ The Campus Research Board shall consist of eight to twelve members appointed by the chancellor/vice president after consultation with the vice chancellor responsible for research, the dean of the graduate college, and with the leadership of that campus's senate. The vice chancellor responsible for research shall chair the committee. The appointment process to and membership on the Campus Research Board may differ in campuses without a graduate college.~~

~~_____b._____ The functions of the board include: (1) making recommendations concerning policies for distribution of research board funds; (2) making assignments of research board funds to individual and group research projects; (3) advising the chancellor/vice president and the vice chancellor responsible for research on any other matters submitted to the board.~~

Section 2. Sponsored Research, Gifts, and Grants

a. It is the policy of the University to encourage research on the part of all persons and groups within the several faculties. – Such encouragement includes the endorsement and support of acceptable proposals for outside contracts or grants by sponsoring external agencies and groups.

b. Such outside support must be integrated with the regular educational and research functions of the University. – The acceptance of contracts or grants involves substantial indirect costs, physical plant operating costs, and the use of departmental, college, and general university facilities. – Funds to meet these indirect costs must be provided either by the sponsors, special arrangement, or by tax funds. – In the latter case, because such activities come into direct competition for funds with other interests within the University, careful consideration shall be given the acceptance of such contracts.

Section 3. Patents on Inventions

2031 | The results of research or development carried on at the University by any of its faculty,
2032 | employees, students, or other users of its facilities and having the expenses thereof paid from
2033 | university funds or from funds under the control of the University, belong to the University and
2034 | are to be used and controlled in ways to produce the greatest benefit to the University and to the
2035 | public.

2036 |
2037 | An inventor whose discovery or invention is subject to the conditions of the previous
2038 | paragraph is required to disclose the discovery or invention to the University and may be
2039 | required to patent the discovery or invention and to assign the patent to the University, the
2040 | expenses connected therewith to be borne by the University.

2041 |
2042 | This section shall not apply to questions of ownership of inventions made by members of
2043 | the staff outside of their regular duties and without the use of university funds or funds under the
2044 | control of the University and without the use of university facilities.

2045 |

2046 | **Section 4. Scientific and Scholarly Publications and Creative Work**

2047 |

2048 | It is the policy of the University to foster the publication of scientific and scholarly
2049 | periodicals which are edited, published, and subsidized by the University.— Authors and artists
2050 | who are members of the academic ranks recognized in Article IX, Section 3, may copyright their
2051 | works except works specifically commissioned by the University in writing and works prepared
2052 | under terms of a university grant or contract which provides otherwise. The General Rules
2053 | Concerning University Organization and Procedure shall contain rules and regulations regarding
2054 | intellectual property.

2055 |

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2057 | **Section 5. Rules about Research, Patents, and Publications**

2058 |

2059 | *The General Rules Concerning University Organization and Procedure* shall contain
2060 | rules and regulations governing patents, copyrightable works, recordings, sponsored periodicals,
2061 | and the acceptance of contracts, gifts, and grants for research, and the procedures to be followed.

2062 |

2063 | Proposed changes in *The General Rules* related to patents, copyrightable works, or
2064 | recordings shall be sent to the University Senates Conference which shall move as expeditiously
2065 | as practicable and, if necessary, reconcile the views of the senates and advise the president and
2066 | through the president the Board of Trustees before such a rule change is adopted.

2067 |

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2070 | **ARTICLE XIII. GENERAL PROVISIONS**

2071 |

2072 | **Section 1. Exchange Professors**

2073 |

2074 | On the recommendation of the head or the chair of a department and with the approval of
2075 | the dean, the chancellor/vice president, the president, and the Board of Trustees, a professor,
2076 | associate professor, or assistant professor may be permitted for a period of not more than one
2077 | year to exchange positions with a professor of approximately equal rank in another university
2078 | provided the arrangement does not involve substantial increase in the cost of instruction. – The
2079 | professor with whom the exchange is made shall during the period of service to this University
2080 | be subject to the rules governing appointments and conditions of service applicable to regular
2081 | members of the faculty.
2082 |

2083 | **Section 2. Privileges for Scholars from Other Universities**

2084 |
2085 | The chancellors/vice presidents of the University may extend the privilege of working
2086 | without charge in the various laboratories or libraries of the respective campus to members of the
2087 | faculties of other colleges or universities, provided that they are recognized as authorities in their
2088 | respective fields and come to the campus with written credentials from the faculties of their
2089 | institutions or from their governments asking that they be received as guests.
2090 |

2091 | **Section 3. Annual Reports**

2092 |
2093 | On or before the first day of September in each year, each dean and director and the chief
2094 | executive officer of each department or equivalent unit on each campus shall make to the
2095 | chancellor/vice president an annual report, treating fully the work of the college, school,
2096 | institute, division, or department. – Any of these officers may make reports or advance
2097 | suggestions at any time and shall report to the chancellor/vice president and to the president
2098 | whenever requested to do so. – Officers of the university-level administration and
2099 | chancellors/vice presidents shall make such reports as the president shall require.
2100 |

2101 | **Section 4. Reports and Communications**

2102 |
2103 | **a.** Members of the academic staff have the obligation to respond to requests for
2104 | information from the Board of Trustees and from administrators to whom they have
2105 | responsibilities. – Ordinarily, intermediary administrators should be made aware of these
2106 | requests. – Unless the requestor has directed otherwise, a written response shall be transmitted
2107 | through and by the intermediary administrators so that they may be properly informed and may
2108 | comment. – If the response contains recommendations, the staff member shall be informed of all
2109 | comments with respect thereto and may append additional comments to the recommendations.
2110 |

2111 | **b.** Academic staff may initiate direct communication with any member of the
2112 | administration. – Ordinarily, intermediary administrators shall be kept informed about such
2113 | communications so that they may be properly informed and may comment. – Whenever
2114 | appropriate, the academic staff member shall be informed of all comments and may respond to
2115 | them.
2116 |

2117 | **c.** Proposals which originate from academic units, as enumerated in Article VIII, shall
2118 | be promptly considered and transmitted to the final authority through and by appropriate

2119 intermediaries.— Academic units affected by the proposal shall be kept informed of comments,
2120 revisions, and recommendations by intermediary authorities so that they may respond to them.

2121

2122 **d.** All communications from members of the staff to be presented as part of the
2123 agenda at a meeting of the Board of Trustees or transmitted to the Board of Trustees or any
2124 committee thereof shall first be presented to the chancellor/vice president where appropriate and
2125 to the president for their examination, comment, and recommendation.— Whenever appropriate,
2126 the staff member shall be informed of all such reactions and may respond to them.

2127 **Section 5. Rules of Procedure**

2128

2129 Unless otherwise specified by a deliberative body of the University, the latest revision of
2130 *Robert's Rules of Order* shall govern.

2131

2132 **Section 6. Recommendations of Committees and Councils**

2133

2134 Whenever these *Statutes* provide for the advice or recommendations of a committee or
2135 council as a basis for or aid to officer or agency decision, the advice or recommendation shall be
2136 secured only through a meeting of the committee or council duly convened in group session.

2137

2138 **Section 7. Reservation of Powers**

2139

2140 The Board of Trustees is charged by law with full responsibility for administering the
2141 University.— Although the board may properly delegate authority to its duly designated officers
2142 and agencies, ~~as indeed it has done since the establishment of the University~~ in practical
2143 recognition of its own limitations to determine and resolve, in the first instance, complex and
2144 continuing problems of internal organization and educational policy, it cannot divest itself of the
2145 ultimate responsibility, imposed upon it by law, of governance of the University.— Accordingly,
2146 the board expressly reserves to itself the power to act on its own initiative in all matters affecting
2147 the University, notwithstanding that such action may be in conflict or may not be in conformance
2148 with the provisions of these *Statutes*.— However, the board will not so act upon its own initiative
2149 in any case in which senate participation and recommendation is provided for by these *Statutes*
2150 until it has first sought the advice and recommendation of the appropriate senate, or senates, the
2151 University Senates Conference and the president.

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2153 **Section 8. Amendments**

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2155 **a.** *Initiation by a Senate.*— Each of the senates by vote of a majority of all members
2156 present and voting at a regular or special meeting may propose amendments to these *Statutes*.
2157 No final senate action shall be taken on a proposed amendment until the next meeting following
2158 the one at which it was introduced.— The secretary of a senate shall notify the secretary of the
2159 other senates and the secretary of the University Senates Conference of the text of a proposed
2160 amendment promptly after the meeting at which it is introduced.— The proposed amendment
2161 shall be referred to the University Senates Conference for its consideration and transmission to
2162 the other senates for action; the conference may append its comments and recommendations.

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2164 | The proposed amendment shall be placed promptly on the agenda of the other senates. – If
2165 | every senate acts affirmatively on the proposed amendment and concurs as to its text, the
2166 | conference shall send the proposed amendment to the president for transmission to the Board of
2167 | Trustees and shall simultaneously notify the senates of its action; the conference may append its
2168 | comments. – If the senates do not agree as to the proposed amendment, the conference shall
2169 | endeavor to promote agreement of the senates. – Where agreement cannot be effected among all
2170 | the senates within a reasonable period of time, but the text of a proposed amendment has been
2171 | agreed upon by all but one of the senates, the conference shall send that proposed amendment,
2172 | the recommendations of the dissenting senate, and its own recommendations to the president for
2173 | transmission to the Board of Trustees and shall simultaneously notify the senates of its action.
2174 | A senate may record and send its further comments to the president for transmission to the Board
2175 | of Trustees.

2176 |
2177 | **b.** *Initiation by the Board of Trustees.* – – The Board of Trustees may initiate
2178 | proposals to amend the *Statutes*, but the board shall not finally adopt any such proposal without
2179 | first seeking the advice of the president, the senates, and the University Senates Conference.
2180 | Any proposal to amend the *Statutes* which is initiated by the Board of Trustees shall be
2181 | transmitted through the president to the University Senates Conference and transmitted by the
2182 | conference, with its recommendations, to the senates for consideration and advice. – The
2183 | proposed amendment shall be placed promptly on the agenda of each of the senates. – If the
2184 | senates do not agree in their advice concerning the proposed amendment, the conference shall
2185 | endeavor to promote agreement; where agreement cannot be achieved within a reasonable period
2186 | of time, the conference shall send the advice of the senates and its own recommendations to the
2187 | president for transmission to the Board of Trustees and shall simultaneously notify the senates of
2188 | its action. A senate may record and send its further comments to the president for transmission to
2189 | the Board of Trustees.

2190 |
2191 | **c.** An amendment shall become effective when approved by the Board of Trustees or
2192 | at such later time as the board may specify.