

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 recommends 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 the Board of Trustee's 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 to maintain 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,” of “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 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. USSP recommends against approving the addition of “special arrangement” to the *Statutes* until such time as its implications can be studied.
- 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

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