

Board Meeting
July 13, 2017

AMEND THE UNIVERSITY OF ILLINOIS AT URBANA-CHAMPAIGN SENATE
CONSTITUTION, URBANA

Action: Amend the University of Illinois at Urbana-Champaign Senate *Constitution*

Funding: No New Funding Required

At the request of the Urbana-Champaign Senate, Chancellor, University of Illinois at Urbana-Champaign, and Vice President, University of Illinois recommends revisions to its Senate *Constitution*, pursuant to University of Illinois *Statutes*, Article II, Section 1.a (“a constitution and any amendments thereto shall take effect upon adoption by the senate concerned and approved thereof by the Board of Trustees”). Amendments to the Urbana-Champaign Senate *Constitution* were approved by action of the Senate on April 3, 2017, to provide representation for Specialized Faculty.

Proposed revisions to the Senate *Constitution* are noted in the attached document. Text to be deleted is ~~struck through~~ and text to be added is underscored. (A copy of the proposed changes is filed with the Secretary of the Board of Trustees for record.)

The Board action recommended in this item complies in all material respects with applicable State and federal laws, University of Illinois *Statutes*,

The General Rules Concerning University Organization and Procedure, and Board of Trustees policies and directives.

The proposed changes to the Senate *Constitution* were reported to the University Senates Conference for record.

The President of the University concurs.

SP.15.08
April 3, 2017

**UNIVERSITY OF ILLINOIS
URBANA-CHAMPAIGN SENATE**

University Statutes and Senate Procedures
(Final; Action)

SP.15.08 Proposed Revisions to the *Senate Constitution and Bylaws* to provide representation for Specialized Faculty

BACKGROUND

SP.15.08, initially presented to the Senate for a Committee of the Whole Discussion on March 7, 2016, began as an attempt by the Senate Committee on University Statutes and Senate Procedures (USSP) to expand and clarify the role of the Specialized or non-tenure-track (NTT) faculty in the UIUC Senate, including how the Specialized faculty become eligible to serve in the Senate and how they factor into the current electorates of the Senate. It emerged as a response to both the growth of the Specialized faculty pool and their somewhat limited options for service in the Senate, as well as a response to changes in the system of titles held by the Specialized faculty following the issuance of *Provost Communication #25: Employment Guidelines for Specialized Faculty Holding Non-Tenure System Positions*. *Provost Communication #25* also urges that units across campus revisit their policies regarding the involvement of NTTs in governance structures from the unit level up (VII.B). Similar concerns were expressed in the Seventh Senate Review Commission’s report (XSR.15.01), which recommended that the Senate should “[e]stablish a more uniform mechanism for election of Specialized Faculty as Senators,” noting that at present, “[s]ome units [now] may allow such faculty to stand for election as Senators, while others do not” (2.c, p. 2). Additionally, the Commission’s report listed the “[i]nclusion of Specialized Faculty in the Senate in a more consistent way” under “Issues that require further consideration” (p. 8).

At present, NTT faculty serve in the Senate in a hodgepodge fashion: some can be elected by their units if unit-level bylaws allow, some can vote for a single at-large representative—a position that to date has gone unfilled—from the “Other Academic Staff” electorate, and some (those holding newly authorized “teaching” titles) are currently ineligible for any representation. This is a more complicated scheme than those

employed by the University of Illinois at Chicago (UIC) and University of Illinois at Springfield (UIS) Senate *Constitutions* and *Bylaws*:

UIC's *Senate Constitution* defines the relative size of the electorates of their Senate, as well as terms of service, but defers eligibility for said electorates to its *Bylaws* (Article III). "Faculty members" are then defined in their *Bylaws* as "academic staff members with rank of lecturer, instructor, assistant professor, associate professor, or professor, including clinical, research, adjunct or emeritus titles. Not included are teaching and research associates, teaching and research assistants, and visiting faculty members" (Article I.1.a). Academic Professionals serve in a separate electorate.

UIS's *Senate Constitution* defines the Faculty Electorate as "all persons holding full-time faculty appointments who devote fifty percent or more of their time to instruction, research, and/or public service" and excludes those with administrative titles of Dean or above (Article I.2). Academic Professionals serve in a separate electorate.

As background to the Senate's March 2016 Committee of the Whole discussion, SP.15.08 thus outlined the current description of the faculty electorate from Article II, Section 1 of the UIUC *Senate Constitution* and the current definition of "Other Academic Staff" from Article III of the *Constitution* (the so-called ABC electorate), the combination of which leaves significant gaps in how NTT faculty become eligible to serve in the Senate. It noted that "this creates an anomaly: full time instructors and lecturers can be included in the faculty electorate at the option of their unit, but teaching, research, and clinical assistant, associate, and full professors cannot." This is both an issue for the current population of full-time NTT faculty (there are currently more than 600 NTTs employed above .5 FTE), and in the future, as more faculty are hired with teaching, research, and clinical assistant, associate, and full professor titles, as provided by *Provost Communication #25*.

SP.15.08 also included four somewhat overlapping options, each of which would bring the NTT faculty ("Specialized Faculty") into the Senate in various ways and would require several adjustments to the composition and electorates of the Senate. Over the subsequent year, USSP has taken the input from the Senate's March 7, 2016 session, in addition to its own research and deliberations, weighing each of those options and its permutations to offer the following conclusions. The first two options presented in SP.15.08 would have changed the parameters of ABC electorate, allowing some additional NTTs into that electorate and/or increasing the number of representatives for that electorate. However, these solutions would have left many NTTs unrepresented and would have maintained an electorate system that is yet to have elected a representative.

An additional possible solution presented in SP.15.08 featured the creation of a new, separate Specialized Faculty Electorate, with a new set of parameters around its creation and relation to the current electorates. After much research and discussion, this path initially seemed appealing, but created quite a number of problems. First, the shifting number and proportion of NTT faculty would require recalibrating this electorate regularly (at least annually), both to ensure whatever internal proportions it would have (by unit and college), and also in relation to other electorates. This means that the ratio of tenure-track to non-tenure-track faculty would need to translate to the ratio of the Faculty Electorate to the Specialized Faculty Electorate, most likely still fitting in to the current size of the Faculty Electorate. Second, a representation structure would need to be established where one does not currently exist—NTT faculty are distributed throughout colleges in an uneven pattern, as well as across various schools and units not attached to colleges, so a series of structures would need to be established. Finally, the work of electing senators for a new electorate would most likely fall upon individual units, which would thus need to conduct additional elections and police eligibility. After considering these complications, USSP does not recommend this path.

Finally, SP.15.08 offered an additional solution: changing the definition of the faculty electorate to include full-time NTT faculty, removing the more complicated language present in Article III defining NTT roles in the “Other Academic Staff” electorate, and simplifying the eligibility of faculty for the Faculty Electorate. This would most fully ensure that NTT faculty are able to serve in the Senate, would eliminate gaps caused by the ABC electorate, and would enable those in each voting unit to determine whether to elect senators from its tenure system or non-tenure system faculty. Further, it would bring UIUC’s *Senate Constitution* more in line with those at UIC and UIS.

This solution would potentially change the composition of the Senate, but would not necessitate a change in the total number of faculty senators or other changes to the overall size of the Senate. In particular, if the number of Senate seats designated for faculty remains at its current level, the ratio of tenure-track to non-tenure-track faculty could shift somewhat, leaving a smaller number of tenure-track faculty in the Senate. That said, this option would ensure that all NTT faculty are eligible for Senate seats, not just limited titles currently eligible, and it would allow each unit to elect tenure-system or non-tenure-system faculty senators at the discretion of the faculty of that unit. Further, this solution would be significantly simpler, because the general eligibility for the faculty electorate would apply broadly, and would not rely on title distinctions or separate electorates.

Under this proposal, the Other Academic Staff electorate defined in Article III is revised to include only the academic professional electorate; therefore, it is proposed to change the title of Other Academic Staff electorate to the academic professional electorate. This requires revisions to both the *Constitution* and the *Bylaws*.

Revisions to the *Bylaws* will not go into effect until the revisions to the *Constitution* are approved by the Board of Trustees.

RECOMMENDATION

The Senate Committee on University Statutes and Senate Procedures recommends that the Senate approve the following amendments to the *Senate Constitution* and the *Bylaws*. Text to be added is underscored and text to be deleted is ~~struck through~~:

1 ***Senate Constitution***

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3 **Article I – Basic Structure**

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

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12 **Article II – Faculty Representation**

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

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22 a. ~~Are tenured or receiving probationary credit toward tenure or in the preceding year~~
23 ~~have received probationary credit toward tenure or h~~Hold the modified or
24 unmodified academic rank or title of professor, associate professor, or assistant
25 professor ~~without tenure~~, have at least a one-half time appointment, and are paid
26 by the University; or
27
28 b. Hold the academic rank or title of instructor or lecturer at any rank, have a ~~full-~~
29 ~~time~~ at least a one-half time appointment, are paid by the University, and are not
30 candidates for a degree from this University, ~~and are designated by their voting-~~
31 ~~unit for inclusion in the faculty electorate;~~ or
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33 c. Are retired members of the campus academic staff with the title of emeritus, and
34 would otherwise be eligible for inclusion in the faculty electorate. However,
35 retired members shall not be counted for purposes of the provisions of Sections 3,
36 4, and 5 of this Article.
37
38 d. ~~Members of the faculty electorate who are members by virtue of Paragraphs (b)-~~
39 ~~and (c) of this Section shall not be counted for purposes of the provisions of~~
40 ~~Sections 3, 4, and 5 of this Article.~~

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42 **Article III – ~~Other Academic Staff~~ Professional Representation**

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44 **Section 1.** The ~~Other Academic Staff~~ professional electorate is composed of those
 45 members of the ~~Other Academic professional Staff~~ who are engaged in and responsible
 46 for the educational function of the University; ordinarily this will involve teaching and
 47 research. Specifically, the ~~Other Academic Staff~~ professional electorate shall consist of
 48 all persons of the campus non-visiting academic staff who have a full-time appointment,
 49 are paid by the University, are not candidates for a degree from this University, and who:
 50 [delete the colon and continue with text of old subparagraph d below]

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52 a. ~~Hold the academic rank or title of professor, associate professor, or assistant-~~
 53 ~~professor modified by the terms “research,” “adjunct,” or “clinical;” or~~

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55 b. ~~Hold the academic rank or title of instructor or lecturer and are not included in the~~
 56 ~~faculty electorate by designation of their voting unit; or~~

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58 c. ~~Hold the unmodified academic rank or title of teaching associate, research-~~
 59 ~~associate, or clinical associate; or~~

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61 d. ~~Are~~ members of the academic staff as defined in the University Statutes, Article
 62 II, Section 5, and satisfy the teaching or research criteria established by the Senate
 63 Committee on Elections and Credentials and approved by the Senate.

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65 **Section 2.** All persons included in the ~~Other Academic Staff~~ professional electorate
 66 shall be eligible for election to the Senate, without distinction on the basis of rank or
 67 other criteria. Each member of the electorate shall be entitled to cast one vote for each
 68 open senatorial position in the members’ electoral unit.

69

70 **Section 3.** Elections shall be held on the basis of seven voting units each with one
 71 seat. ~~One at large seat will be elected by those described in Article III section 1a, b, and~~
 72 ~~c. Seven senators will be elected by those described in section 1d. Elections for this group~~
 73 ~~shall be held on the basis of employment in an~~ These voting units are made up of
 74 academic units or the University of Illinois Extension or the Prairie Research Institute ~~for~~
 75 ~~Natural Resource Sustainability.~~ These election units shall be as nearly equal in size as is
 76 practicable and shall be the same as the voting units for the relevant Council of Academic
 77 Professionals election districts.

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80 **Section 4.** Those eligible to vote in each ~~Other Academic Staff~~ professional voting unit
 81 shall be notified that an election is to be held. Any member of
 82 the ~~Other Academic Staff~~ professional electorate who desires to run for election from
 83 their electorate unit shall submit a statement to that effect and a short biography to the
 84 appropriate ~~Other Academic Staff~~ professional voting unit elections and credentials
 85 committee. The nominee receiving the highest number of votes shall be deemed elected.

86

87 **Section 6.** Senators shall be elected for two-year terms commencing at the beginning of
 88 the next academic year. Provision shall be made for staggered terms so that
 89 approximately half the ~~Other Academic Staff~~ professional senators will be elected each
 90 year.

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92 **Section 9.** An ~~Other Academic Staff~~ professional senator can be recalled by a vote of
 93 two-thirds of those voting in the recall election.

94

95 **Section 10.** Membership in the ~~Other Academic Staff~~ professional electorate continues
 96 during the term of any member elected to the Senate.

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98 **Article VI – General Provisions**

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100 **Section 11.** When the Senate selects members of a search committee, faculty senators
 101 shall nominate and elect faculty members of the
 102 committee, ~~Other Academic Staff~~ professional senators shall nominate and
 103 elect ~~Other Academic Staff~~ professional members of the committee, and student
 104 senators shall nominate and elect student members of the committee in separate votes.

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106 **Bylaws**

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108 **Part C - Elections**

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110 1. Timing of Elections; Election Rules

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b. The Senate may delegate to the organization that conducts elections on behalf of the governing organizations of the student body and/or the ~~Other Academic Staff~~ professional ~~Staff~~ the authority to conduct Senate elections concurrently with other elections that it administers, pursuant to rules established by the ~~Senate Committee on University Statutes and Senate Procedures~~ Elections and Credentials and subject to approval by the Senate.

119 2. Elections and Credentials Committee

b. ~~Other Academic Professional Staff: The Committee on University Statutes and Senate Procedures shall act as the elections and credentials committee for the Other Academic Staff described in the Constitution, Article III, Section 1a, b, and c.~~ The Council of Academic Professionals shall be the elections and credentials committee for the ~~Other Academic Staff~~ professional electorate described in the Constitution, Article III, Section 1d.

128 5. Nomination and Election of Senators from the ~~Other Academic Staff~~ Professional Electorate

130 The procedure for nomination and election of senators elected by
131 the ~~student~~ academic professional electorate shall be as follows:

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133 a. Any member of the ~~Other Academic Staff~~ professional electorate who
134 desires to run for election shall submit a statement to that effect and a
135 short biography to the elections and credentials committees.

136 b. If found to be eligible, the member of
137 the ~~Other Academic Staff~~ professional electorate shall be deemed
138 nominated, and the elections and credentials committee shall have the
139 person's name placed on the appropriate election ballot.

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141 7. Recall Elections

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143 Petition: A recall election shall be held by a college or division
144 or ~~Other Academic Staff~~ professional elections and credentials committee
145 promptly upon receipt of an appropriate petition.

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147 c. ~~Other Academic Professional Staff~~: For recall of
148 an ~~Other Academic Staff~~ professional senator, the petition shall bear
149 valid signatures of at least one-third of the members of the election unit
150 or of at least one-half as many members of the election unit as voted in
151 the election in which the ~~Other Academic Staff~~ professional senator was
152 last elected, whichever is smaller.

UNIVERSITY STATUTES AND SENATE PROCEDURES

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