

Minutes
Urbana-Champaign Senate Meeting
October 20, 2014

A regular meeting of the University of Illinois at Urbana-Champaign Senate was called to order at 3:11 pm in the Illini Union Ballroom with Chancellor Phyllis Wise presiding and Professor Emeritus H. George Friedman, Jr. as Parliamentarian.

Approval of Minutes

10/20/14-01 The minutes from September 22, 2014 were approved as written.

Senate Executive Committee Report

Roy Campbell (ENGR), faculty senator and Chair of the Senate Executive Committee (SEC) noted that due to unfinished business from the September Senate meeting, today's agenda is very full. Chair Campbell requested that Senate members adhere to the agenda in order to finish all Senate business presented on the agenda.

Tellers for the meeting were faculty senators Bettina Francis (LAS), and student senator Joshua Baalman (LAS).

Chancellor's Remarks

Chancellor Phyllis Wise noted that approximately 150 faculty members were recruited last year and approximately 140 more searches have been launched. The three Visioning Future Excellence themes that will be used for cluster hiring are Health and Wellness, Social Equality and Cultural Understanding, and Energy and the Environment.

The [Business Plan to Establish a College of Medicine in Urbana-Champaign](#) was posted on the Office of the Chancellor website. The final proposal to establish the College of Medicine will be submitted to the Senate Committee on Educational Policy (EPC) for approval and then to the full Senate for further discussion.

Questions/Discussion

None

Old Business

a. Proposals

10/20/14-02 CC.15.03* Nominations for Membership on Standing Committees of the Senate

10/20/14-03 On behalf of the Senate Committee on Committees, Chair Kalita moved approval of the slate of nominees on proposal CC.15.03.

10/20/14-04 Robert Warrior (LAS) was nominated from the floor to fill the faculty vacancy on the Senate Committee on Equal Opportunity and Inclusion. Warrior's signed statement of willingness to serve* if elected was submitted. There were no more floor nominations and nominations were closed.

10/20/14-05 Tellers reported the following vote totals: Warrior 65, Bauer 66. Bauer was elected to serve on the Senate Committee on Equal Opportunity and Inclusion.

10/20/14-06 The remainder of the slate of nominees on proposal CC.15.03 were approved by voice.

- 10/20/14-07 CC.15.04* Nomination to the State Universities Retirement System Members Advisory Committee (SURSMAC)
- 10/20/14-08 On behalf of the Senate Committee on Committees, Chair Kalita moved approval of the nominee on proposal CC.15.04. There were no floor nominations and nominations were closed.
- 10/20/14-09 The nominee on proposal CC.15.04 was approved by voice.
- 10/20/14-10 SP.15.05* Proposed Revision to *Standing Rule* 11.B – Election of a Senate Executive Committee Member from the Committee on the University Senates Conference
- 10/20/14-11 On behalf of the Senate Committee on University Statutes and Senate Procedures (USSP), Chair Maher moved approval of proposal SP.15.05. Maher noted that proposal SP.15.05 is straight forward and deletes the word “paper” in order to allow for electronic voting in the election of a Senate Executive Committee member from the Committee on the University Senates Conference.
- 10/20/14-12 By voice, proposal SP.15.05 was approved.
- 10/20/14-13 RS.15.01* Resolution on Uniform Pay for Specialized Faculty
- 10/20/14-14 Faculty senator Gilmore (LAS) moved approval of proposal RS.15.01. The motion was seconded and discussion followed.
- Faculty senator Gilmore (LAS) noted that the non-tenure track faculty unionized over the summer. Riedel (LAS) asked that the Senate support this resolution so that all non-tenure track faculty have access to promotional lines outline in Provost Communication #25. Riedel (LAS) added that some departments were quick to act while others appear to be slow to take action or not taking action at all. All non-tenure track faculty should be treated equally and should receive the appropriate pay. Riedel (LAS) expressed her concern that not all non-tenure track faculty received appropriate salary adjustments.
- Vice Provost for Faculty and Academic Affairs Abbas Benmamoun responded that the Office of the Provost worked with Academic Human Resources (AHR) to ensure that all promotional salary increases were implemented. The majority of the increases were implemented, but three were not implemented. AHR has corrected the omission and raises were put into effect immediately. AHR will inform the Office of the Provost if any other cases are found. The salary floor has also been implemented. Benmamoun noted that if anyone is aware of situations of promotional raises or salary floor not being implemented the cases should be reported to the Office of the Provost.
- 10/20/14-15 By voice, the motion to approve resolution RS.15.01 was approved.
- 10/20/14-16 RS.15.03* Senate Resolution on the SEC Resolution on Ad Hoc Committee Formation
- 10/20/14-17 Faculty senator Ruggles (FAA) moved approval of proposal RS.15.03. The motion was seconded and a robust discussion followed. Ruggles (FAA) gave her opinion that the SEC Resolution that was passed on August 25, 2014 was flawed. Graber (AHS) noted that the quote in paragraph three of Resolution 15.03 is incorrect. Graber noted that the final decision does not rest with the Provost, but rather with the Board of Trustees (BOT). Academic Professional senator Roberts-Lieb (AP) noted that Provost Communication #9 does not speak to appointments and the Provost Communication #26 that the resolution refers to does not exist at this time. Burbules (EDUC) noted that the SEC task force is not expanding the power of the Chancellor, but rather would be making recommendations to the Senate on the process that should be followed when the Chancellor does not feel she can send a hiring decision forward to the BOT. Ruggles (FAA) gave her opinion that there are current committees that could address the issues charged to the SEC task force. Therefore, there is no reason for the SEC task force.

10/20/14-18 The motion to approve resolution 15.03 failed by voice.

b. Reports

10/20/14-19 HE.14.09* FAC/ IBHE Report – May 2014

10/20/14-20 HE.14.10* FAC/ IBHE Report – June 2014

10/20/14-21 EP.15.12* Report of Administrative Approvals through August 25, 2014

10/20/14-22 SC.15.03* BOT Observer Report – September 11, 2014

10/20/14-23 UC.15.01* USC Report – August 25, 2014

Consent Agenda

Hearing no objections, the following proposals were approved by unanimous consent.

10/20/14-24 EP.15.17* Proposal to Remove the Masters of Science in Human Factors Degree Program

10/20/14-25 EP.15.19* Proposal to Revise Requirements for the Graduate Concentration in Writing Studies offered through the Center for Writing Studies

Proposals (enclosed)

10/20/14-26 CC.15.05* Nominations for Membership on Standing Committees of the Senate and the Military Education Council

10/20/14-27 On behalf of the Senate Committee on Committees, Chair Kalita moved approval of the slate of nominees on proposal CC.15.05. No nominations from the floor and nominations were declared closed.

10/20/14-28 The motion to approve proposal CC.15.05 was approved by voice.

10/20/14-29 SC.15.04* Resolution in Support of the Council of Illinois University Senates “Statement of Concern”

On behalf of the SEC, Chair Campbell moved approval of SC.15.04. Melissa Madsen, member of SEC and Council on Academic Professionals (CAP) President, gave additional details from the Council of Illinois University Senates (CIUS) recent meeting where the “Statement of Concern” was drafted.

10/20/14-30 The motion to approve proposal SC.15.04 was approved unanimously by voice.

10/20/14-31 SP.14.03* Amendments to Nicknames in the *Senate Election Rules for the Student Electorate*

10/20/14-32 On behalf of the Senate Committee on University Statutes and Senate Procedures (USSP), Chair Maher moved approval of proposal SP.14.03. Chair Maher noted that this proposal was submitted to the USSP by student senators. This proposal comes to the Senate with the USSP’s endorsement.

10/20/14-33 The motion to approve proposal SP.14.03 was approved unanimously by voice.

10/20/14-34 SP.14.12* Revision to *Standing Rule 13*

10/20/14-35 On behalf of the USSP, Chair Maher moved approval of proposal SP.14.12. Maher noted the EPC brought forward the suggested changes to *Standing Rule 13* to USSP. EPC and USSP worked together to call for a review process that would occur earlier in the process of termination, separation, transfer, merger, or change in status of any academic unit. Maher added that being informed of an academic unit’s decision could bring a deliberative conversation forward. On behalf of EPC, Francis (LAS) noted that there has to be a balance between too tight verses too loose language. Additional discussion followed.

- 10/20/14-36 Due to the additional discussion, Maher suggested that if the Senate was not prepared to vote on the proposal, the proposal could be sent back to USSP for further revision. Maher made a motion to send proposal SP.14.12 back to committee.
- 10/20/14-37 The motion to send SP.14.12 back to committee failed by voice.
- 10/20/14-38 Motion to approve SP.14.12 was approved by voice.
- 10/20/14-39 SP.15.07* Revisions to the *Statutes*, Article X, Section 2 – Academic Freedom (First Reading; Information)
- 10/20/14-40 Changes to the University *Statutes* requires two readings. The first reading is informational and for discussion only. This proposal will be presented to the Senate at the next regular meeting for action. Maher noted the original proposal was submitted in 2010. The original proposed amendments were approved by the Urbana Senate and the version approved by the Urbana campus was also approved at the Chicago and Springfield campuses. There was additional discussion at the University Senates Conference (USC) and the original proposal did not go forward. The SP.15.07 proposal is being treated as a new proposal. This proposal would create recourse for faculty that think their academic freedom has been infringed upon. Tolliver (LAS) noted that the proposed changes were put forward for reasons of consistency and for reasons of better inclusion of colleagues.
- 10/20/14-41 RS.15.02* Resolution on Academic Freedom and Civility
- 10/20/14-42 Rabin moved approval of RS.15.02. The motion was seconded and discussion followed.
- Wise noted that massmails were never intended to be a mechanism in which policy is set or changed, but rather to communicate to the community at large. Several faculty senators expressed concern that some language in resolution 15.02 was incorrect.
- Senate Committee on Academic Freedom and Tenure (AFT) member and faculty senator Steinburg (LAS) read the following statement on behalf of the AFT.
- The Committee on Academic Freedom and Tenure (CAFT) endorses Senate Resolution 15.02 and urges its passage. The observance of “civility” in interpersonal communication is surely desirable and CAFT sees nothing amiss in institutional leaders saying so. However, the texts of the Chancellor’s and Trustees’ statements could be read to suggest that what was enjoined is not observance of a desirable norm, but of an enforceable rule of conduct.
- More than twenty years ago the American Association of University Professors (AAUP) issued *On Freedom of Expression and Campus Speech Codes* in the wake of efforts on numerous campuses to promulgate rules the terms of which are echoed in the Chancellor’s and Trustees’ messages. The AAUP’s *Statement* captures the tenor of the debate and the reasons why “civility”, desirable as matter of etiquette, cannot be deployed as a standard of conduct.
- An institution of higher education fails in its mission if it asserts the power to proscribe ideas, and uncivil speech, howsoever repugnant at times, expresses ideas. CAFT appreciates that the value of emotive, even hate-laden speech is of a rather low order. Yet, as the AAUP *Statement* observed, a university
- sets a perilous course if it seeks to differentiate between high-value and low-value speech, or to choose which groups are to be protected by curbing the speech of others. A speech code unavoidably implies an institutional competence to distinguish permissible expression of hateful thought from what is proscribed as thoughtless hate.
- Inevitably, the university will be drawn to decide which groups are worthy of solicitude and which are not, what words are unacceptably offensive and what are within the margin of acceptability.

“Distinctions of this type” the AAUP *Statement* observes, “are neither practicable nor principled; their very fragility underscores why institutions devoted to freedom of thought and expression ought not adopt an institutionalized coercion of silence.”

CAFT notes in passing that campus speech codes have been held unconstitutional on grounds of their very generality and sweep, as abridging freedom of expression.** However, the position CAFT adopts here is predicated firmly on academic, not legal grounds. The University of Illinois cannot be faithful to its mission, as reflected in its *Statutes*, by banning speech.

10/20/14-43 By show of hands the motion to approve RS.15.02 failed.

Reports

10/20/14-44 HE.15.01* FAC/ IBHE Report – September 19, 2014

10/20/14-45 EP.15.21* Report of Administrative Approvals: August 25 – October 13, 2014

10/20/14-46 UC.15.02* USC Report – September 9-10, 2014

10/20/14-47 UC.15.03* Proposed Revisions to the *Statutes*

Friedman, member of USSP, noted that the proposed revisions to the *Statutes* will begin the review process by the USSP this week. Friedman noted that some proposed changes appear trivial while others could possibly be significant. USSP will most likely bring the proposed changes to the *Statutes* to the full Senate in groups as suggested by the USC. The consensus of USSP members is that a thorough examination is more important than the proposed schedule, but the committee will attempt to perform the thorough examination within the proposed schedule.

New Business

None

Adjournment

The meeting was adjourned at 4:53 pm.

Jenny Roether, Senate Clerk

*Filed with the Senate Clerk and incorporated by reference in these minutes.

** Doe v. University of Michigan, 721 F.Supp.2d 852 (E.D. Mich. 1989); UWM Post, Inc. v. Board of Regents of the University of Wisconsin System, 774 F.Supp.2d 1163 (E.D. Wis. 1991); Blair v. Shippensburg University, 280 F.Supp.2d 357 (M.D. Pa. 2003); College Republicans at San Francisco State Univ. v. Reed, 523 F.Supp.2d 1005 (N.D. Cal. 2007).