

AGENDA

Senate of the Urbana-Champaign Campus
September 21, 2015
3:10 – 5:15 pm

Illini Union – Illini Room C

- I. Call to Order** – Interim Chancellor Barbara Wilson
- II. Approval of Minutes** – April 20, 2015 and May 4, 2015
- III. Senate Executive Committee Report** – Chair Gay Miller
- IV. Chancellor’s Remarks** – Interim Chancellor Barbara Wilson
- V. Questions/Discussion**
- VI. Consent Agenda**

These items will only be distributed via www.senate.illinois.edu/20150921a.asp. If a senator wishes to move an item from the Consent Agenda to Proposals and have copies at the meeting, they must notify the Senate Office at least two business days before the meeting. Any senator can ask to have any item moved from the Consent Agenda to Proposals.

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|----------|--|---|
| EP.16.01 | Proposal to Revise the Environmental Fellows Program into the Sustainability, Energy, and Environment Fellows Program, and to transfer the administration of the program from the School of Earth, Society, and Environmental, College of LAS to the Institute for Sustainability, Energy, and Environment | Educational Policy (B. Francis, Chair) |
| EP.16.03 | Proposal to Revise the Undergraduate Concentration in Hospitality Management leading to the Bachelor of Science in Food Science and Human Nutrition in the Department of Food Science and Human Nutrition in the College of ACES | Educational Policy (B. Francis, Chair) |
| EP.16.06 | Proposal to Revise the PhD Program in Economics, Department of Economics, College of LAS | Educational Policy (B. Francis, Chair) |
| EP.16.07 | Proposal to Establish a joint degree program between the existing Master of Architecture (M. Arch) and Master of Science in Architectural Studies (MS in AS) degrees offered through the School of Architecture | Educational Policy (B. Francis, Chair) |
| EP.16.08 | Proposal to Create a 5-Year Program leading to a BALAS in the College of Liberal Arts and Sciences (LAS) and an MA in European Union Studies (MAEUS) | Educational Policy (B. Francis, Chair) |
| EP.16.10 | Proposal to Change the department level requirements for the M.S. degree and the Ph.D. degree in Atmospheric Sciences | Educational Policy (B. Francis, Chair) |
| EP.16.12 | Proposal to Change Unit Name from International Programs and Studies (IPS) to Illinois International Programs (IIP) | Educational Policy (B. Francis, Chair) |
| EP.16.13 | Proposal to Establish a Graduate Concentration in Computational Engineering within the Major in Engineering in the Master of Engineering Degree in the College of Engineering | Educational Policy (B. Francis, Chair) |
| EP.16.17 | Proposal to Establish a New Bachelor's of Science in Middle Grades Education in the Department of Curriculum and Instruction with Concentrations in: 1) Literacy; 2) Mathematics; 3) Science; and 4) Social Science | Educational Policy (B. Francis, Chair) |

| | | | |
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| EP.16.18 | Proposal to Transfer the Center for Prevention Research and Development (CPRD) in the Institute for Government and Public Affairs to The School of Social Work | Educational Policy <i>(B. Francis, Chair)</i> | |
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VII. Proposals (enclosed)

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| SC.16.03 | Procedures for Selecting a Search Committee to Advise the President on the Selection of a Chancellor | Senate Executive Committee <i>(G. Miller, Chair)</i> | 1 |
| SP.15.16 | Proposed Revisions to the <i>Bylaws</i> , Part D.1 – Senate Executive Committee, Membership | University Statutes & Senate Procedures <i>(W. Maher, Chair)</i> | 3 |
| RS.16.01 | Resolution Concerning the Formation of an ad hoc Committee Concerning Senators' in use of Non-Official Communications to Advise Campus Administrators | M. Steinberg, et al. | 5 |
| RS.16.02 | Resolution on the Postponement of the Criminal Background Check Policy | T. Barnes, et al. | 7 |
| CC.16.03 | Nominations for Membership on Standing and ad hoc Committees of the Senate, the Military Education Council, and the General Education Board | Committee on Committees <i>(P. Kalita, Chair)</i> | 17 |
| CC.16.04 | Nominations to the Athletic Board | Committee on Committees <i>(P. Kalita, Chair)</i> | 19 |
| CC.16.05 | Nominations to the Research Policy Committee | Committee on Committees <i>(P. Kalita, Chair)</i> | 23 |
| SP.15.04 | Proposed Revisions to the <i>Bylaws</i> , Part D.6 (b) – Committee on Committees, Membership | University Statutes & Senate Procedures <i>(W. Maher, Chair)</i> | 25 |
| SP.15.10 | Revisions to the <i>Senate Bylaws</i> , Part C, Section 4 to Conform with Student Election Practices | University Statutes & Senate Procedures <i>(W. Maher, Chair)</i> | 27 |

VIII. Current Benefits Issues (5 min.)– John Kindt, Chair of Faculty and Academic Staff Benefits**IX. Reports (enclosed)**

| | | | |
|----------|--|--------------------|----|
| EP.16.14 | EPC Administrative Approvals through August 24, 2015 | Educational Policy | 29 |
| UC.15.09 | USC Report – May 26, 2015 | J. Tolliver | 31 |
| UC.15.10 | USC Report – June 25, 2015 | J. Tolliver | 35 |
| SC.15.16 | BOT Observer Report – July 23, 2015 | N. Burbules | 37 |
| SC.16.13 | BOT Observer Report – September 10, 2015 | M. Bohlmann | 39 |
| SC.16.14 | University Policy on Background Checks | A. Benmamoun | 41 |

X. New Business

Matters not included in the agenda may not be presented to the Senate without concurrence of a majority of the members present and voting. Items of new business may be discussed, but no action can be taken.

XI. Adjournment

Senate of the Urbana-Champaign Campus
Organizational Meeting
April 20, 2015
Minutes

The organizational meeting of the Senate of the Urbana-Champaign Campus was called to order at 3:15 pm in Illini Room A of the Illini Union with Vice Provost for Faculty & Academic Affairs Abbas Benmamoun presiding and Professor Emeritus H. George Friedman, Jr. as Parliamentarian.

Senate Executive Committee Report

Faculty senator and Chair of the Senate Executive Committee (SEC) Roy Campbell (ENGR) welcomed new and continuing senators.

Tellers for the meeting were faculty senators Harry Hilton (ENGR), Jeremy Tyson (LAS), and Nicholas Burbules (EDUC).

Chair Campbell announced that the i>Clicker 2 distributed to each senator at the door will be used for voting during today’s meeting. Campbell proceeded to instruct senators on i>Clicker use in order to vote in each election. A step-by-step instruction sheet on i>Clicker use was also included in each meeting packet.

Chancellor’s Remarks

None.

Proposals for Action

04/20/15-03 CC.16.01* Nominations for Membership on the University Senates Conference (USC)

Senate Committee on Committees chair Prasanta Kalita (ACES) gave a brief explanation of the Committee on Committees charge and how the committee fulfills its responsibilities.

On behalf of Committee on Committees, Chair Kalita (ACES) moved approval of the three nominees on CC.16.01. There were no floor nominations and nominations were declared closed.

04/20/15-04 By i>Clicker, the slate of nominees was approved as distributed. Johnson (ENGR), Weech (LISC), and Wheeler (ACES) were declared elected to the USC.

04/20/15-05 SC.16.02* Election of One Member of the Urbana Delegation to the USC to Serve on the Senate Executive Committee (SEC)

On behalf of the SEC, Chair Campbell presented SC.15.02. There were no nominations from the floor and nominations were declared closed.

The following i>Clicker vote totals were reported:

| | | |
|-----------------|------|----|
| Terry Weech | LISC | 65 |
| Matthew Wheeler | ACES | 77 |

04/20/15-06 USC member Wheeler was declared elected to the SEC.

Chair of the Senate Committee on Educational Policy (EPC), Gay Miller, explained the role of EPC while votes were tallied.

04/20/15-07 CC.16.02* Nominations for Membership on Standing Committees of the Senate and the Military Education Council

On behalf of the Senate Committee on Committees, Chair Kalita moved approval of the slate of committee nominees on CC.14.02.

Burbules (EDUC) nominated Joyce Tolliver (LAS) from the floor to serve on the Senate Committee on General University Policy (GUP). There were no additional nominations from the floor and nominations were declared closed.

The following i>Clicker vote totals were reported:

| | | |
|----------------|-----|-----|
| Kim Graber | AHS | 125 |
| Jay Rosenstein | MDA | 107 |
| Steven Seitz | LAS | 87 |
| Joyce Tolliver | LAS | 108 |

04/20/15-08 Committee members Graber, Rosenstein, and Tolliver were declared elected to serve on GUP.

04/20/15-09 By i>Clicker, the amended slate of committee nominees was approved.

04/20/15-10 SS.16.01* Election of Committee Chairs to the Senate Executive Committee

Vice Provost Benmamoun presented the ballot of committee chairs willing to serve, and announced the polls were open.

The polls were closed and the votes were tallied. The following i>Clicker vote totals were reported:

| | | |
|-------------------|-----|-----|
| David O'Brien | FAA | 125 |
| Michael Sandretto | BUS | 105 |
| Kathryn Oberdeck | LAS | 101 |
| Pat Gill | LAS | 88 |

04/20/15-11 Committee Chairs O'Brien, Sandretto, and Oberdeck were declared elected to serve as members of the SEC. A run-off election was not necessary since there were less than five committee chairs willing to serve.

Professor Emeritus H. George Friedman, Jr. as Parliamentarian reviewed basic parliamentary procedure and directed senators to the parliamentary procedure document distributed with the meeting materials.

Reports for Information

04/20/15-12 SC.16.01* Results of the Election for Senate Executive Committee Chair and Vice Chair and Faculty and Student Members of the Committee on Committees

04/20/15-13 SP.16.01* Faculty, Academic Professional, and Student Electorate and Senator Distribution

04/20/15-14A SP.16.02* 2015-2016 Urbana-Champaign Senate Membership

Adjournment

The meeting adjourned at 4:14 pm.

Jenny Roether, Senate Clerk

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

Senate of the Urbana-Champaign Campus
Urbana-Champaign Senate Meeting
 May 4, 2015
 Minutes

A regular meeting of the University of Illinois at Urbana-Champaign Senate was called to order at 3:13 pm in Illini Room A at the Illini Union with Chancellor Phyllis Wise presiding and Professor Emeritus H. George Friedman, Jr. serving as Parliamentarian.

APPROVAL OF MINUTES

05/04/15-01 The minutes from April 6, 2015 were approved as distributed.

SENATE EXECUTIVE COMMITTEE REPORT

Senate Executive Committee (SEC) Chair Roy Campbell reported that he represented the Senate in a meeting with the AAUP (American Association of University Professors). Campbell noted that discussion included how to reduce the impact if Illinois is censured. Campbell noted the productive discussion on background checks that was held at the previous Senate meeting. The SEC will continue to express concerns on behalf of the Senate to the administration about background checks. Campbell thanked the Senate for his two years serving as SEC Chair.

05/04/15-02 Tellers for the meeting were faculty senators H F (Bill) Williamson (LAS) and Kim Graber (AHS), and student senator Calvin Lear (GRAD).

CHANCELLOR'S REMARKS

05/04/15-03 Chancellor Phyllis Wise presented Chair Campbell with a resolution of appreciation. Graber moved approval of the resolution. The motion was seconded and the resolution was approved unanimously.

Wise noted that there were many great accomplishments this year and she is proud to be the Chancellor leading this great university. Wise reported that budget discussions are ongoing. There is still a possibility of up to a 31.5% cut in the budget. No formal conclusions have been made about the budget at this time and budget discussions will continue. Wise noted that the conversation on background checks will continue.

Wise invited Senate members to a reception immediately following the meeting to thank everyone for their hard work this year.

QUESTIONS/DISCUSSION

In response to a question about the use of an external public relations (PR) firm, Wise noted that the outside firm will evaluate current PR efforts and possibly suggest restructuring. Wise added that funding for the external PR firm is not from tuition or GRF.

CONSENT AGENDA

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

05/04/15-04 EP.15.49* Proposal from the School of Labor and Employment Relations to Establish a New Course

05/04/15-05 EP.15.51* Proposal from the College of Fine and Applied Arts (FAA) and the Graduate College to Revise the Master of Landscape Architecture (MLA)

05/04/15-06 EP.15.60* Proposal to Create a Journalism Concentration and Terminate the News Editorial and Broadcast Journalism Concentrations in the Department of Journalism for the Undergraduate Major in Agricultural Communications in the College of Media and Agricultural, Consumer and Environmental Sciences

- 05/04/15-07 EP.15.61* Proposal to Revise the Advertising Concentration Requirements for the Agricultural Communications Major in the College of Media and Agricultural, Consumer and Environmental Sciences
- 05/04/15-08 EP.15.62* Proposal to Revise Courses Specified for the General Education Requirements for the Undergraduate Major in Agricultural Communications, College of Media and Agricultural, Consumer and Environmental Sciences
- 05/04/15-09 EP.15.63* Proposal to Establish a New Master of Science in Strategic Brand Communication (M.S. in S.B.C.), to be jointly offered by the Department of Advertising in the College of Media, and the Department of Business Administration in the College of Business
- 05/04/15-10 EP.15.64* Proposal to Establish a Graduate Concentration in “Biomechanics” jointly in the Department of Bioengineering and Mechanical Science and Engineering, College of Engineering
- 05/04/15-12 EP.15.65* Proposal to Establish a Graduate Concentration in “Cancer Nanotechnology” in the Department of Bioengineering, College of Engineering
- 05/04/15-13 EP.15.66* Proposal from the College of Liberal Arts and Sciences to Correct the Program of Study Listing for the PhD Program in Chemistry
- 05/04/15-14 EP.15.68* Proposal to Revise the Master of Accounting (MAS) Program
- 05/04/15-15 EP.15.69* Proposal to Change the Name of Department from Department of Human and Community Development to Department of Human Development and Family Studies
- 05/04/15-16 EP.15.71* Proposal to Transfer the Illinois Program for Research in the Humanities from the College of Liberal Arts and Sciences to the Office of the Vice Chancellor for Research
- 05/04/15-17 EP.15.72* Proposal from the Illinois Informatics Institute to Revise the Undergraduate Minor in Informatics
- 05/04/15-18 EP.15.73* Proposal from the College of Liberal Arts and Sciences to Revise the BSLAS in Astronomy
- 05/04/15-19 EP.15.74* Proposal from the College of Fine and Applied Arts to Revise the BFA in Industrial Design
- 05/04/15-20 EP.15.75* Proposal from the Graduate School in Library and Information Science and the Graduate College to Establish a New Master of Science in Information Management in the Graduate School of Library and Information Science (GSLIS)
- 05/04/15-21 EP.15.76* Proposal to Change the Name of the Graduate Major from Human and Community Development to human Development and Family Studies
- 05/04/15-22 EP.15.77* Proposal from the College of Fine and Applied Arts to Rename and Revise the B.A. in Urban Planning
- 05/04/15-23 EP.15.80* Proposal to Establish a Graduate Concentration in Structures within the Existing Master of Science in Architectural Studies (MS in AS) Degree Program
- PROPOSALS**
- 05/04/15-24 SC.15.10* 2015-2016 Senate and Senate Executive Committee (SEC) Calendar
On behalf of the SEC, Chair Campbell moved approval of SC.15.10. By voice, the calendar was approved.
- 05/04/15-25 SP.15.17* Proposed Revisions to the *Statutes* to transfer the provisions regarding Intellectual Property from the *General Rules* to the *Statutes*

On behalf of the Senate Committee on University Statutes and Senate Procedures (USSP), Chair Maher moved approval of SP.15.17. Maher introduced the proposal and gave a brief overview of the proposal.

05/04/15-26 Nelson (LAS) stated that intellectual property provisions in the *General Rules* are in violation of AAUP policies on intellectual property. Nelson (LAS) made a motion to send the proposal back to the committee. The motion was seconded and discussion followed.

Chair Maher (LIBR) noted the proposal is largely moving the intellectual property provisions from the *General Rules* to the *Statutes*. The Board of Trustees is only obligated to involve the Senate when making changes to the intellectual property portion of the *General Rules*. Lear (GRAD) added that USSP is a drafting committee, and not subject matter experts.

05/04/15-27 Nelson (LAS) withdrew his motion.

05/04/15-28 By voice, the motion to adopt SP.15.17 was approved.

05/04/15-29 SP.15.18* General Revisions to the *Statutes*, Final Reconciliation, Motions #1 through #8
On behalf of USSP, Chair Maher moved approval of SP.15.18 as a whole.

05/04/15-30 Burbles (EDUC) made a motion to revert to the February 11 language for *Statutes* Article II Section 2(a)5 in place of the February 25 language. The motion was seconded and discussion followed.

February 11 version of the *Statutes* revisions: Article II Section 2 (a) 5

(5) The University Senates Conference shall adopt bylaws which, except as otherwise provided in these Statutes, shall govern its procedures and practices, including such matters as committee structure and duties, calling of meetings and establishment of agenda, election of officers, and definition of quorum. The bylaws shall provide for procedures to exercise those statutory duties specified in Article II, Section 2 (b). The bylaws and any changes thereto shall be reported to the campus senates and to the Board of Trustees through the president.

February 25 version of the *Statutes* revisions: Article II Section 2 (a) 5

(5) The University Senates Conference shall adopt bylaws which, except as otherwise provided in these Statutes, shall govern its procedures and practices, including such matters as committee structure and duties, calling of meetings and establishment of agenda, election of officers, and definition of quorum. The bylaws shall provide for procedures to exercise those statutory duties specified in Article II, Section 2 (b). The bylaws and any changes thereto shall be reported to the campus senates and submitted to the Board of Trustees for approval.

The University Senates Conference (USC) does not currently have bylaws or other governing documents. USSP recommended the February 25 language in order to provide some oversight.

05/04/15-31 The motion to revert to the February 11 language was approved.

05/04/15-32 By voice, the motion to adopt the amended SP.15.18 was approved.

05/04/15-33 EP.15.81* Proposal for Deloitte Center for Business Analytics in Accountancy

On behalf of the Senate Committee on Educational Policy (EPC), Chair Miller moved approval of EP.15.81 and gave a short introduction of the proposal.

05/04/15-34 By voice, the motion to approve EP.15.81 passed.

05/04/15-35 EP.15.78* Proposal to Establish a Winter Session in the Academic Calendar

On behalf of EPC, Chair Miller moved approval of EP.15.78. Charles Tucker, Vice Provost for Undergraduate Education and Innovation, spoke in support of EP.15.78.

05/04/15-36 By voice, the motion to approve EP.15.78 passed.

05/04/15-37 EP.15.42* Proposal from the College of Business and the Graduate College to Establish an Online MBA Program

On behalf of EPC, Chair Miller moved approval of EP.15.42. Miller invited College of Business Dean DeBrock and Associate Dean Echambadi to speak in support of the proposal.

Echambadi fielded questions about whether the faculty creating the content would be involved in the delivery of the content. Echambadi replied that the faculty would be assisted most likely with at teaching associate (TA) for delivery and also a communication assistant.

Concern was expressed about the possible devaluing of current students. Echambadi responded that the students enrolling in this program are vastly different than the students physically on campus.

05/04/15-38 By voice, the motion to adopt EP.15.42 was approved.

05/04/15-39 SC.15.11* Endorsement of the “USC Statement on Budget Planning and Reform”

Tolliver, as the USC representative to the SEC, asked for endorsement of the USC statement on Budget Planning and Reform. On behalf of the SEC, Chair Campbell made a motion to endorse the USC statement on Budget Planning and Reform. A short discussion followed.

05/04/15-40 The motion to endorse the USC statement was approved by voice.

REPORTS

05/04/15-41 EP.15.79* EPC Administrative Approvals – April 13, 2015

05/04/15-42 Verbal Report on Campus Diversity Climate Questionnaire

Committee member Oberdeck (LAS) reported that the Senate Committee on Equal Opportunity and Inclusion have worked on the Campus Diversity Climate survey since fall 2014. Oberdeck noted that the committee was looking for anecdotal accounts from faculty about the current campus climate, and encouraged faculty to complete the survey.

05/04/15-43 UC.15.08* USC Report – April 21, 2015

05/04/15-44 XSR.15.01* Report of the Seventh Senate Review Commission

Chair Campbell (ENGR) noted that in the past, the next step would be to form a committee to create specific direction on how to implement the Review Commission recommendations. Campbell made a motion to create a next steps committee with the Senate Committee on Committees making nominations. Burbules (EDUC) seconded the motion and the motion to create the next steps committee was approved.

PROVOST COMMUNICATION #3 DRAFT

Kathrine Galvin, Associate Provost for Administrative Affairs, presented changes made to Provost Communication #3. The revised Communication reflects the new electronic search and hiring processes, improves readability and clarity, and incorporates new hiring forms and processes. This does not affect current faculty. These changes do not apply to current faculty. The Communication also creates an explicit process for discussing any appointment concerns with the Provost, college, hiring unit and the campus off-cycle tenure review committee.

NEW BUSINESS

None

ADJOURNMENT

The meeting was adjourned at 4:56 pm. Chancellor Wise invited attendees to an end of the year reception.

Jenny Roether, Senate Clerk

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

UNIVERSITY OF ILLINOIS
URBANA-CHAMPAIGN SENATE
Senate Executive Committee
(Final; Action)

SC.16.03 Procedures for Selecting a Search Committee to Advise the President on the Selection of a Chancellor

BACKGROUND

University *Statutes*, Article I, Section 5, Paragraph 2:

On the occasion of the appointment of a new chancellor, the president shall have the advice of a committee selected by the senate of the campus concerned.

Senate *Constitution*, Article VI, Section 11:

When the Senate selects members of a search committee, faculty senators shall nominate and elect faculty members of the committee and student senators shall nominate and elect student members of the committee in separate votes.

Senate *Bylaws*, Part F, Paragraph 5:

The composition of a committee selected by the Senate to advise the President on the occasion of the appointment of a new chancellor shall be determined by the Senate. The Committee will include faculty and student members elected in accordance with Article VI, Section 11 of the Senate *Constitution*. Any representatives of other University of Illinois at Urbana-Champaign constituencies shall be nominated in consultation with representative bodies of those constituencies and shall be elected by the full Senate.

Senate Executive Committee proposes a search committee of 15 members: nine faculty (one chair and eight additional members), three students (at least one undergraduate and at least one graduate or professional), one dean or director, one academic professional, and one staff. The composition and selection procedures are similar to the most recent chancellor search (2010-11).

RECOMMENDATION

Senate Executive Committee recommends the following composition of the chancellor search committee be approved by the Senate:

Chair (1): One member of the faculty. Committee on Committees will make two nominations and Senate Executive Committee will make an additional two nominations. Faculty senators will elect two from among the nominees. President will select one of these candidates as chair and the other will serve as one of the eight faculty members.

Faculty (8): Committee on Committees will nominate 12 to 14 members of the faculty electorate (see Senate *Constitution* Article II for definition of faculty electorate). Faculty senators will elect seven faculty with no more than two from the same college, and in accordance with the diversity requirements of Sec. 4.1 of the University of Illinois Act (110 ILCS 305). If the seven members chosen by Senate vote do not meet these criteria, then the female faculty member receiving the most votes and in addition the minority faculty member receiving the most votes will be added to the committee first, followed by the remaining five members according to the vote, with no more than two from the same college. The remaining one faculty member chosen as noted above.

Students (3): Committee on Committees will nominate six members of the student electorate. Student senators will elect three: at least one undergraduate student and at least one graduate or professional student, with no more than one from the same disciplinary college or equivalent unit.

Dean or Director (1): The Council of Deans will nominate two members. The full Senate will elect one.

Academic Professional (1): The Council of Academic Professionals will nominate two members. The full Senate will elect one.

Staff (1): The Staff Advisory Council will nominate two members. The full Senate will elect one.

Committee on Committees will provide a brief biographical sketch (150 words or less) of each of their nominees, along with a statement of willingness to serve. These nominees will be presented to the full Senate by electronic means at the beginning of the open nomination period. Additional nominations may be made during the open nomination period in accordance with Article VI, Section 11, of the Senate *Constitution*. All nominations submitted during the open nomination period must include 1.) Nominee's Name, 2.) Nominee's statement of willingness to serve, and 3.) A brief biographical sketch of the nominee (150 words or less). The open nomination period shall be held on 5 work days, at a time starting as specified by the Senate Executive Committee. The final election shall be held on 3 work days, at a time starting as specified by the Senate Executive Committee. Once the open nomination period is closed, nominees will be presented electronically to the respective voters, and the final election will be held through electronic means. Ties shall be resolved by a run-off election on the following 2 work days.

SENATE EXECUTIVE COMMITTEE

Gay Miller, Chair

Kim Graber, Vice-Chair

Abbas Aminmansour

Michael Bohlmann

Nicholas Burbules

Bettina Francis

John Hart

Matthew Hill

Prasanta Kalita

Calvin Lear

William Maher

Anita Mixon

Kathryn Oberdeck

David O'Brien

Michael Sandretto

Matthew Wheeler

UNIVERSITY OF ILLINOIS
URBANA-CHAMPAIGN SENATE
Senate Committee on University Statutes and Senate Procedures
(Final; Action)

SP.15.16 Proposed Revisions to the *Bylaws*, Part D.1 – Senate Executive Committee,
Membership

BACKGROUND

The Chair of the committee which performs the statutory function of the Professional Advisory Committee represents Other Academic Staff on the Senate Executive Committee. On November 9, 2009, the Senate voted to give Other Academic Staff voting representation in the Senate. Since Other Academic Staff have voting representation in the Senate, the Chair of the Professional Advisory Committee representing Other Academic Staff on the Senate Executive Committee should be given voting privileges on that committee. The phrase “as well as Senate floor privileges” is redundant since all members of Senate committees have Senate floor privileges.

RECOMMENDATION

The Senate Committee on University Statutes and Senate Procedures recommends approval of the following revisions to the *Bylaws*, Part D.1. Text to be deleted is indicated by strikeout (e.g., ~~sample text for deletion~~).

PROPOSED REVISIONS TO THE *BYLAWS*, PART D.1 (b)

- 1 1. Senate Executive Committee
- 2 (b) Membership
- 3 The Senate Executive Committee shall be composed of 16 members consisting of
- 4 (a) a Chair and a Vice-Chair, elected by ballot by and from among the membership of the
- 5 Senate, who shall be the presiding officers of the Senate Executive Committee,
- 6 (b) the Chair of the Committee on Committees,
- 7 (c) the Chair of the Educational Policy Committee,
- 8 (d) the Chair of the General University Policy Committee,
- 9 (e) the Chair of the Information Technology Committee,
- 10 (f) the Chair of the University Statutes and Senate Procedures Committee,

- 11 (g) three members elected by the Senate from a slate consisting of all remaining
12 committee chairs willing to serve, with a runoff among the five candidates receiving
13 the most votes and additional candidates if tied for fifth place,
- 14 (h) three students, including at least one undergraduate and at least one graduate or
15 professional student, all of whom shall be elected by and from among the student
16 senators,
- 17 (i) one of the Senate's representatives to the University Senates Conference, elected by
18 the Senate to serve on the Executive Committee,
- 19 (j) the campus faculty member of the Faculty Advisory Council to the Board of Higher
20 Education *ex officio* with vote, and
- 21 (k) the Chair of the committee which performs the statutory function of the Professional
22 Advisory Committee or the Chair's designee *ex officio* with ~~voice but no vote, as well~~
23 ~~as Senate floor privileges.~~

24 In the event of a vacancy in the Chair position, the Vice-Chair will immediately
25 succeed to the position of Chair. In the event of a vacancy in the Vice-Chair position,
26 an election by the Senate of a Vice-Chair will be conducted at the next meeting of the
27 Senate in accordance with the provisions of Part A, Section 5 (d). From the time the
28 Vice-Chair position becomes vacant and until a Vice-Chair has been elected and
29 certified, that sitting member of the Executive Committee with longest university
30 service will serve as interim Vice-Chair. Any other vacancy on the Senate Executive
31 Committee shall be filled by the same procedure utilized in selecting the vacating
32 member.

UNIVERSITY STATUTES AND SENATE PROCEDURES

William Maher, Chair
H. George Friedman
Shawn Gordon
Wendy Harris
Calvin Lear
Anna-Maria Marshall
Mark Roszkowski
Gisela Sin
Sandy Jones, *Ex officio (designee)*
Jenny Roether, *Ex officio*
Dedra Williams, *Observer*

UNIVERSITY OF ILLINOIS
URBANA-CHAMPAIGN SENATE
Prefiled Resolution

RS.16.01 Resolution concerning the formation of an ad hoc committee concerning senators' use of non-official communications to advise campus administrators

WHEREAS, Phyllis Wise resigned her position as chancellor, effective August 12, stating that “external issues have arisen over the past year that have distracted us from the important tasks at hand, ... diverting much needed energy and attention from our goals;”

WHEREAS, the reputation of the University, especially the Urbana campus, has clearly been damaged around these and other issues, once again raising questions about the campus administration’s commitment to ethical conduct, shared governance, academic freedom, and racial and ethnic diversity, leading, among other consequences, to censure by the American Association of University Professors;

WHEREAS, the participation of some faculty senators and members of Senate committees in deliberate use of non-official communications as a means of offering private advice to the chancellor and other administrators on important university matters has raised the question of a possible violation of standards of shared governance;

WHEREAS, numerous documents—including, most recently, Provost’s Communication No. 27 on “Shared Governance for Academic Units,” issued October 2014, and the University Senates Conference’s “White Paper on Shared Governance at the University Level,” approved May 26, 2015—have established clear norms and expectations for shared governance, including (quoting from the USC White Paper) “active participation by faculty at all levels in decisions and decision processes,” “clear statutory rules and organizational structures,” productive relationships between faculty and administrators “through the established structures of shared governance,” and transparency and openness in communications;

BE IT RESOLVED, that an ad hoc Senate committee be established to consider what, if any, Senate procedures, ethical norms, or best practices of shared governance may have been violated and that the ad hoc committee shall determine what actions should be taken to protect and reinforce Senate norms and practices (including whether referrals should be made to other appropriate bodies). This ad hoc committee should be established by the Committee on Committees in accordance with Senate *Bylaws* Parts B.5 and B.6. In order to ensure the integrity of the process, faculty actively involved in these private e-mail exchanges concerning University matters may not be members of the ad hoc committee. The ad hoc committee should report back to the Senate at its meeting on November 16, 2015.

Submitted by senators:

Hadi Esfahani (Department of Business Administration)

Erik McDuffie (African American Studies and Asian American Studies)

Harriet Murav (Comparative and World Literatures and Slavic Languages and Literatures)

Chantal Nadeau (Gender and Women’s Studies)

Rolando Romero (Latina/Latino Studies)

Mark Steinberg (History)

Robert Warrior (American Indian Studies)

UNIVERSITY OF ILLINOIS
URBANA-CHAMPAIGN SENATE
Prefiled Resolution

RS.16.02 Resolution on the Postponement of the Criminal Background Check Policy

WHEREAS academic departments on the Urbana campus conducting employment searches in Fall 2015 have been instructed that their advertisements must include the sentence “The University of Illinois conducts criminal background checks on all job candidates upon acceptance of a contingent offer”; and

WHEREAS some but not all of the advertisements for open faculty positions listed on the University Job Board (<https://jobs.illinois.edu/academic-job-board>) include this sentence; and

WHEREAS the University of Illinois Board of Trustees formally adopted a criminal background check policy on September 10, 2015 only after such instructions were issued to academic departments; and

WHEREAS the new policy on criminal background checks does not adhere to the standards recommended by the American Association of University Professors (AAUP) recommendations as stated in its 2015 Policy Documents and Reports on balancing the need for proportionality of institutional risk with individual’s rights of privacy because it does not state:

1. that a candidate must authorize a background check in writing;
2. that the candidate must be given a copy of the final report;
3. that no adverse action may be taken on the basis of the report unless and until the prospective employee has had an opportunity to contest or clarify its accuracy;
4. that if a report is retained in a successful candidate’s file, it should be corrected to remove all inaccuracies;
5. that all irrelevant personally identifiable information in a faculty member’s file should be destroyed;

WHEREAS Senate Resolution RS.15.08 of March 9, 2015, as adopted by the Senate, noted that “substantive reviews of candidates’ qualifications,” by bodies other than duly appointed faculty search committees and deans would damage the competitiveness of the University in hiring the best faculty and undermine shared governance, “in particular the faculty’s responsibility to maintain academic excellence and the high professional standards appropriate to one of the world’s premier research universities”;

BE IT RESOLVED that the Senate of the Urbana-Champaign Campus requests the Board of Trustees to urgently and immediately postpone implementation of the new criminal background check policy until these problems and inconsistencies can be discussed, addressed and resolved with input from the Senate.

Signed and submitted by senators:
Teresa Barnes, History and Gender & Women’s Studies
Jessica Greenberg, Anthropology
Harriet Murav, Slavic Studies
Mark Steinberg, History



The “Wild West” of Employment Background Checks

A Reform Agenda to Limit Conviction and Arrest History Abuses in the Digital Age

By: National Employment Law Project
August 2014

One in four U.S. adults – 70 million people and counting – now has a conviction or arrest history that can show up on a routine background check for employment. At the same time, more employers than ever are conducting background checks on their prospective employees by relying on private background check companies or on government databases that are often accessible on-line at the click of a mouse.

The vast proliferation of background check information has devastating consequences for the millions of workers struggling to find employment with a history of arrests or convictions,¹ and especially for workers of color. The reports produced by private companies are plagued with errors, such as including expunged convictions or failing to show that charges were dropped. Even the government systems include inaccuracies and incomplete records.

Is it possible to fight against big data and the increasing use of stale records that unnecessarily stigmatize qualified job seekers? The answer is maybe; it’s a complex problem with no quick fix or simple solution. However, with the nation finally turning its attention to the legacy of over-criminalization and mass incarceration, a special opportunity exists to tackle this and other criminal justice reform issues.

This fact sheet helps lay the groundwork for this advocacy by providing some basic information on the various forces that have produced the unprecedented reliance on

¹ There are many ways that people who face employment discrimination may interact with the criminal justice system including but not limited to, convictions, non-conviction arrests, juvenile adjudications and infractions, and border detentions.

background checks for employment. In addition, the fact sheet includes a checklist of some of the most promising laws and strategies to limit the availability of conviction and arrest history information and to hold the major players accountable.

The Forces Driving the Proliferation of Employment Background Checks

The first challenge in understanding how to limit the vast proliferation of conviction or arrest history information is to identify the specific source of the records. In today's brave new world of employment background checks, one of several sources could be the generator of the report, including a private background check company or a federal, state, or local government database.

Private Background Check Companies

Most employers that acquire background checks of job applicants do so by purchasing a commercially prepared background report from a background check company. Today, these companies mostly buy the conviction or arrest history data in bulk from various sources (called "aggregators"), including some state systems, and issue reports based solely on that data. But many of them still send "runners" to the local courthouses to manually review and verify the information provided in the bulk data.

Serious problems arise when the information purchased from these aggregators and other sources is not verified for accuracy or updated, which means that the companies routinely include information on background checks that can cost people jobs. Some of the errors and inaccuracies in these background checks include: 1) reporting the history of another person (frequently someone with a similar name); 2) revealing sealed or expunged information; 3) failing to provide the final outcome of an arrest; 4) reporting information in a misleading manner (such as reporting every court date for a single charge); and 5) erroneously reporting the seriousness of an offense (reporting a misdemeanor as a felony).

The biggest players in the industry, including Accurate Background, Inc., ADP Screening and Selection Services, First Advantage, HireRight and Sterling, are highly profitable and growing fast. In addition, there is a new frontier of Internet background check vendors that often charge cut-rate fees for questionable products. One of the largest companies, backgroundchecks.com, charges \$15 for each report if the employer signs up for at least 25 searches. The company proudly claims that "[w]ith the database of over 345 million criminal records," it "has now become the leader in the acquisition of data from across the country and the delivery or instant online access to public records."

How is this multi-billion dollar industry held accountable? The industry's trade association, called the [National Association of Professional Background Screeners](#), created an accreditation program to certify compliance with basic standards of accuracy and fairness, but only a handful of the companies signed the pledge. However, private background check companies, and the employers that purchase their reports are regulated by the federal consumer protection law – called the [Fair Credit Reporting Act](#) (FCRA) – which is the same law that applies to companies

that generate credit reports and other forms of background check information.

Under FCRA, these background check companies must ensure the accuracy of the information that they provide to employers, and employers are required to provide job seekers with a copy of the background check report to verify its accuracy before the company uses the information to deny the applicant employment. Private and public interest lawyers have collected major settlements and judgments against many of the largest background check companies for FCRA violations. Some states, like California and Texas, also go further than the federal law by precluding the release of arrest information and limiting the reporting of convictions to crimes that date back seven years. Under FCRA, there's no limit on reporting convictions, but non-conviction arrests may only be reported for seven years.

State and Local Government Databases

The next largest source of background check reports made available to employers and the public are generated by the state entities that collect arrest and conviction history from local courts and law enforcement (called the state “repositories”) and by the local courts themselves, which report information on court proceedings.

Depending on the state, the repositories provide for different levels of access to information. Some, like California, operate a “closed” system, which does not allow public access to the state's records for employment or other non-criminal justice purposes. Others, including Florida, allow for “open” access, meaning all of an individual's conviction or arrest history information is generally available for public use, including use by employers. And some states, like Washington, provide for “intermediate” access to this information, meaning the public can access conviction data, but not arrests, and must obtain the consent of the subject of the information. About half the states make their conviction or arrest history information available to the public via the Internet, usually for a fee ranging from \$1 to \$75, which generated about 18 million requests in 2011.

In any jurisdiction, an individual may go to a local court and request the court documents of any other individual, as these are public records. Increasingly, local entities, including the courts and the local-law enforcement agencies, are also selling their information to the public or providing it on-line for free. Many local agencies are also sharing their arrest information as part of larger county networks, which then sell the information in the database to employers, volunteer organizations, landlords and others. To identify the practices in your state and local area, the [National Center for State Courts](#) maintains a helpful website resource that documents the level of access to conviction or arrest history, whether the information is available on-line and the fees charged for the information.

National FBI Background Checks

Access to the FBI's national database is heavily restricted—there must be a federal or state law that specifically authorizes the non-criminal justice entity to obtain a copy of the job applicant's FBI background check. Thus, access to these records is usually reserved for state licensing boards or people seeking work directly with the government or government contractors, not

private employers.

Roughly 17 million FBI background checks were conducted for employment and licensing purposes in 2012, which is six times the number generated ten years ago. FBI background checks are required for a variety of occupations, including: people who work with children, the elderly, or people with disabilities, people working in the financial industry, port workers, and people who process mortgages. In addition to these federal requirements, states frequently require both state and federal background checks for licensed positions.

Although the FBI records are frequently considered the “gold standard” because they are national in scope and are generally less vulnerable to identity errors because they are based on an individual’s fingerprint, roughly 50 percent of the records are inaccurate according to the FBI. That’s because the FBI’s data often includes the arrest without the final outcome of the case. While federal laws require the information submitted by the states to the FBI to be accurate and provided on a timely basis, these laws are not enforced. Indeed, in about half the states, almost a third of all the arrests reported in the past five years still don’t have updated information on the disposition of the case.

A State Reform Agenda to Limit Conviction and Arrest History Abuses in the Digital Age

As one background check expert astutely observed, the current regime is like the “wild, wild west,” with more companies selling their products every day for large profits and limited accountability for their actions. While the challenges are severe – certainly, there’s no fool-proof way to put the genie back in the bottle in the age of the Internet – as described below, several states have taken constructive steps that can help shape a new regime to protect workers against some of the most significant abuses that now undermine their job search.

States Should Enact Broader Expungement and Sealing Laws

Expungement and sealing laws are the single most important remedy, as employers are not able to illegally or inappropriately consider information that they do not have. Only about half the states allow for any form of expungement of felony convictions, even for people who have not been arrested or convicted of a crime for many years. The [National Task Force on Privacy, Technology, and Criminal Justice Information](#) recommends that “information should be sealed or expunged (purged) when the record no longer services an important public safety or other public policy interest.”

Some states have also adopted “first offender” statutes, often focusing on youthful offenses or minor alcohol or drug offenses, which allow these first offenses to be expunged for individuals with no prior record. For example, in Mississippi, first offender convictions may be expunged for misdemeanors and some minor felonies after a five-year waiting period. However, several states will expunge or seal an individual’s record not just in the case of first offenders. For example, Colorado will seal many drug convictions after a waiting period lasting 3 to 10 years depending on the offense. Tennessee recently passed a law allowing certain non-violent offenses to be expunged after 5 years. Kansas authorizes all but most violent and sex offenses to be

expunged after a 3 to 5 year waiting period. (For a breakdown of state expungement and sealing laws, see this [chart](#) published by the National Association of Criminal Defense Lawyers Restoration of Rights Resource Project).

It is critically important that the process of expunging an individual's record be automatic, so that the individual is not burdened with having to hire a lawyer, pay court fees, and deal with the vagaries of the court process. In Connecticut, for example, an arrest is automatically expunged if the state decides not to prosecute the case and thirteen months have passed since the arrest. If the defendant is acquitted at trial or the charge is dismissed, all records are automatically erased after the 30-day appeal period has run out, and no fee is required of the individual. Law enforcement agencies can continue to access the records, but the public cannot.

Adopt a “Closed” State Conviction and Arrest History System that Prevents Public Disclosure of the State Records

In California, the public and commercial reporting agencies are not able to access the state records, but they are able to access public records, such as court documents. Thus, access to the state records in California is limited to positions for which a background check is required under state or federal law (for example, positions in the financial industry, child care workers, security guards, nurses, real estate agents). By definition, the state also does not make the information available on-line, which is now the practice in about half the states.

Limit the Look-Back Period When Arrests and Convictions Can Be Reported

In 2010, Massachusetts restructured access to their records, which involved making the state database available to the public and employers while imposing a strict look-back period on the offenses that can be reported. Specifically, the information available to employers and the public is limited to misdemeanors for which the applicant was convicted within the past 5 years and felonies for which the applicant was convicted within the past 10 years. In both cases, the time period begins after release from incarceration or custody, and if any conviction may be shown on an applicant's record, all convictions will be shown. Certain felony convictions, including murder, manslaughter, and sex offenses, will always appear on a background check no matter the length of time since conviction or release from custody.

Prohibit the Release of Arrests Not Leading to Convictions or Consideration by Employers of Arrest Information

A number of states (including Alaska, Indiana, Hawaii, Kentucky, and Minnesota) expressly preclude the release of information regarding arrests that did not lead to a conviction, which extends in some cases to the local courts and private background checks companies as well. Other states (including California, New York and Massachusetts) preclude employers from asking about arrest information or otherwise consider arrest information in the hiring process.

Require Background Checks Companies to Check the State System for Expunged Records

Lawmakers in Pennsylvania recognized that background check companies weren't updating their records to prevent disclosure of expunged cases. In order to help increase accuracy and make meaningful the second chance that an expungement should give, the state adopted a new procedure to provide commercial reporting agencies with updates of expunged cases. The policy, enacted in 2010, created weekly updates of cases expunged from court records. Companies that access the court records are required to check the weekly updates and comply with the rules governing the use of these records. If a company fails to access the weekly updates or to use the information correctly, the Pennsylvania courts may terminate a company's access.

Work with State Policymakers to Ensure that All Outcomes Favorable to the Person Who Was Arrested Be Reported to the State Repository in a Timely Manner

As described above, conviction or arrest histories in many states includes a great deal of information that is significantly out of date, primarily because the favorable information (including the large percentage of cases that are dismissed) is not reported in a timely manner from the local courts and law enforcement agencies to the state records systems. Advocates should work with state officials and legislators to document the delays in their states and the primary culprits, then require that systems be developed, including periodic auditing, to reduce the backlogs and correct the problem in the targeted localities.

Enact Strong Laws Requiring That the State Conviction and Arrest History Systems Be Routinely Audited

Several states have adopted laws requiring that their state conviction or arrest history systems be audited to ensure that they are accurate and up-to-date. Pennsylvania's law is especially effective. It requires the state Attorney General to annually audit the state repository and as a representative sample of all other repositories. The Pennsylvania State Police is also required to audit a percentage of local police departments to ensure that they have policies and procedures in place to accurately report conviction or arrest history. Also significant, the law authorizes the Attorney General and private parties to sue to enforce the audit requirement and to recover monetary damages, litigation and attorney's fees.

Enforce the Laws Requiring Fair and Accurate Background Checks for Employment

Workers have rights under federal and state consumer protection laws to fair and accurate background checks for employment. These laws should be aggressively enforced to hold the private background check companies and their employer clients accountable. First, it is important for the worker to obtain a copy of his or her conviction or arrest history report to verify its accuracy (including the FBI rap sheet, the state rap sheet, and the private background check company report in those cases where the employer is obligated to share the information with the worker). Second, advocates should help enforce the laws by developing relationships with

public interest lawyers in their community and private attorneys that specialize in enforcement of the Fair Credit Reporting Act and other federal and state laws that regulate the collection and reporting of conviction or arrest history.

Advocates should be aware that there can be legal obstacles to creating new laws regulating criminal background check companies and limiting the conviction or arrest history information that is made available to the public. For example, the federal Fair Credit Reporting Act may trump (or “preempt”) new state laws that seek to regulate the background check companies by going beyond the requirements of the federal law. In addition, the First Amendment to the U.S. Constitution has been raised by the media to legally challenge laws that seek to limit access to conviction or arrest history information by the public. Thus, it is very important to develop relationships with local attorneys who can help navigate the legal issues and fashion strong state laws that can withstand a possible legal challenge.

MODEL EMPLOYER CHECKLIST

- ✓ Background checks cost money and can be inaccurate. Carefully survey positions to determine which require a background check.
- ✓ Do not inquire into criminal history on the initial application. Instead, delay the inquiry until the final stages to save personnel time and resources.
- ✓ Include notice on your job application that a conviction is not an automatic bar to employment.
- ✓ To avoid violating federal law, do not ask about or consider arrest records .
- ✓ Be sure to comply with the Fair Credit Reporting Act requirements.
 - *Provide notice & obtain worker consent*
 - *Give applicant a copy of the background report prior to any rejection*
 - *Allow applicant to correct information*
- ✓ Comply with federal law by only considering convictions that are both job-related and recent. Consider the circumstances surrounding the offense and any evidence of rehabilitation.
- ✓ Give applicant a written notice of the potentially disqualifying conviction(s) and allow applicant to provide information regarding the offense(s), including evidence of rehabilitation.

WHERE CAN I GET MORE INFORMATION?

The use of criminal records in employment decisions is regulated by civil rights and consumer protection laws.

FEDERAL CIVIL RIGHTS LAW

Title VII of the Civil Rights Act of 1964 prohibits selection policies or practices that have a disparate impact on protected classes of people. Because using criminal records to screen candidates for employment has a disproportionate impact on people of color, a refusal to hire because of a past conviction is legal only where the conviction is job-related and the refusal to hire is required by “business necessity.”

The EEOC enforces Title VII and has relevant guidances available at www.eeoc.gov. Your state may provide additional legal obligations.

FEDERAL CONSUMER PROTECTIONS LAW

The Fair Credit Reporting Act applies to commercially prepared background checks and contains notice and consent requirements.

The FTC enforces the Fair Credit Reporting Act and provides information at www.ftc.gov.

U.S. DEPARTMENT OF LABOR

The U.S. Department of Labor enforces affirmative action and equal employment opportunity requirements in the federal contract workforce. Information is available at www.dol.gov/ofccp.

NATIONAL EMPLOYMENT LAW PROJECT

Additional information is available at www.nelp.org.

CRIMINAL BACKGROUND CHECKS

A BEST PRACTICES GUIDE FOR EMPLOYERS



Benefits of being a model employer

- Access to the most qualified candidates
- Qualified, competent and safe workforce
- Promote diversity in the workplace
- Increase efficiency
- Contribute to safe, secure communities
- Limit liability under federal and state laws

This pamphlet provides information on complying with federal civil rights and consumer protection laws, strengthening the integrity of criminal background checks, and creating a diverse workforce.

NELP

National Employment Law Project

THE ISSUE

More than one in four U.S. adults has a criminal record on file with a state, so background checks have a large impact on hiring decisions and the nation's workforce. These records include arrests that never led to conviction and decades-old minor misdemeanors. While non-conviction arrests and minor offenses often have no bearing on a worker's ability to safely and competently perform job duties, employers frequently use this information to deny employment, which may violate civil rights and consumer protection laws.

IT MAKES GOOD ECONOMIC SENSE

Beyond ensuring compliance with the law, fair background check standards make good economic sense. Employers seek to ensure that they have access to the best qualified applicants. Given that more than one in four of all Americans have a criminal record, overbroad policies that exclude anyone with a criminal record means that you are potentially eliminating some of the most qualified workers. Also, workers given a second chance may prove to be your most loyal and motivated employees.

IT PROMOTES PUBLIC SAFETY

Employing people with criminal records also promotes public safety. Allowing qualified candidates access to good jobs reduces recidivism—lowering criminal justice costs and strengthening our communities.

THERE ARE FINANCIAL BENEFITS

Federal and state programs provide incentives to hire people with criminal records, including the federal Bonding Program (www.bonds4jobs.com) and Work Opportunity Tax Credit (www.doleta.gov/business/incentives/opptax/). Check your state for additional incentive programs.

HOW DO I BECOME A MODEL EMPLOYER AND COMPLY WITH THE LAW?

STEP 1

Identify positions that require a background check under state or federal law, or that require a background check due to the sensitivity of the job. You are not required by law to perform a background check for most positions.

STEP 2

Do not request criminal history information on the initial job application. Inquire into an individual's criminal history only after the applicant has been selected as a final candidate.

Many cities, states, and even some federal agencies delay background checks because "it is generally more practical and cost-effective." (U.S. Office of Personnel Management Regulations.)

STEP 3

If you conduct a background check, be sure to comply with the legal requirements of the **FAIR CREDIT REPORTING ACT**.

First, give notice to the applicant and get the worker's consent. If the background report includes criminal history information, provide a copy to the applicant and allow the applicant to contest or explain the information included before making an employment decision.

See the Fair Credit Reporting Act (15 U.S.C. 1681 *et seq.*) and the Federal Trade Commission (www.ftc.gov) for your obligations. Your state may have additional requirements.

STEP 4

Consider only job-related and recent convictions when making an employment decision. Consideration of arrest information likely violates federal civil rights law and may violate state law.

See the EEOC Policy Guidance on the Consideration of Arrest Records (www.eeoc.gov/policy/docs/arrest_records.html).

STEP 5

Be sure to comply with the legal requirements of **TITLE VII OF THE CIVIL RIGHTS ACT OF 1964** (42 U.S.C. 2000e).

Deny employment only if the conviction is job-related and doing so is consistent with "business necessity."

Be sure to consider the following factors:

1. The nature or gravity of the offense or offenses;
2. The bearing, if any, of the offense(s) on any specific responsibilities of the job or position;
3. The time that has elapsed since the offense;
4. The age of the applicant or employee at the time of the offense;
5. Any evidence of rehabilitation.

See the EEOC Policy Statement on the Issue of Conviction Records (www.eeoc.gov/policy/docs/convict1.html).

STEP 6

Let the community know that you are a model employer committed to considering all qualified candidates and building a diverse workforce.

Reach out to the local Chambers of Commerce, Workforce Investment Boards and other local partners to publicize your model practices.

NELP

National Employment Law Project

**UNIVERSITY OF ILLINOIS
URBANA-CHAMPAIGN SENATE**
Committee on Committees
(Final; Action)

CC.16.03 Nominations for Membership on Standing and *ad hoc* Committees of the Senate, the Military Education Council, and the General Education Board

Campus Operations

To fill one faculty vacancy unfilled during the spring 2015 elections.

| | | |
|------------------------|-----|-------------------|
| Carol Emmerling-DiNovo | FAA | Term Expires 2017 |
|------------------------|-----|-------------------|

Conference on Conduct Governance

To fill the chair position unfilled during the spring 2015 elections.

| | | |
|-------------|-----|-------|
| Sara Benson | LAW | Chair |
|-------------|-----|-------|

To fill the one student vacancy created by the resignation of Kevin Seymour (GRAD).

| | | |
|------------------|------|-------------------|
| Matthew Stoklosa | GRAD | Term Expires 2017 |
|------------------|------|-------------------|

Educational Policy

To fill the one student vacancy created by the resignation of Matthew Hill (LAS).

| | | |
|-----------|-----|-------------------|
| Matt Rice | LAS | Term Expires 2016 |
|-----------|-----|-------------------|

Honorary Degrees

To fill the chair position unfilled during the spring 2015 elections.

| | | |
|--------------------|-----|-------|
| Stephen Cartwright | FAA | Chair |
|--------------------|-----|-------|

To fill one student vacancy unfilled during the spring 2015 elections.

| | | |
|-----------|-----|-------------------|
| Alec Helm | LAS | Term Expires 2016 |
|-----------|-----|-------------------|

Information Technology

To fill one faculty vacancy unfilled during the spring 2015 elections.

| | | |
|----------------|------|-------------------|
| Scott A Morris | ACES | Term Expires 2017 |
|----------------|------|-------------------|

Library

To fill one student vacancy unfilled during the spring 2015 elections.

| | | |
|------------|-----|-------------------|
| Pia Hunter | LAW | Term Expires 2016 |
|------------|-----|-------------------|

Student Discipline

To fill one student vacancy created by the resignation of Kevin Seymour (GRAD).

| | | |
|----------|-----|-------------------|
| Sam Awad | LAS | Term Expires 2016 |
|----------|-----|-------------------|

University Student Life

To fill the chair position unfilled during the spring 2015 elections.

| | | |
|------------|------|-------|
| David Ward | LIBR | Chair |
|------------|------|-------|

Licensing Advisory Committee (ad hoc)

To fill one student vacancy.

| | |
|------------|------|
| Efadul Huq | GRAD |
|------------|------|

Military Education Council

To fill two student vacancies unfilled during the spring 2015 elections.

| | | |
|-----------------|------|-------------------|
| Spencer Haydary | LAS | Term Expires 2016 |
| Calvin Lear | GRAD | Term Expires 2016 |

General Education Board

To fill three student vacancies unfilled during the spring 2015 elections.

| | | |
|---------------------|-----|-------------------|
| Erin Simone Johnson | LAS | Term Expires 2016 |
| Farah Chalisa | LAS | Term Expires 2016 |
| Collin Schumock | LAS | Term Expires 2016 |

COMMITTEE ON COMMITTEES

Tim Flanagin
George Gross
Sarah Hochman
Prasanta Kalita
Randy McCarthy
Lisa Monda-Amaya
Nancy O'Brien
Titus Potter
Marissa Roberson
Jenny Roether, *ex officio*

Nominations from the floor must be accompanied by the nominee's signed statement of willingness to serve if elected. The statement shall be dated and include the name of the position to be filled. If present, the nominee's oral statement will suffice.

**UNIVERSITY OF ILLINOIS
URBANA-CHAMPAIGN SENATE**
Committee on Committees
(Final;Action)

CC.16.04 Nominations to the Athletic Board

Background

The Athletic Board consists of seven faculty members, appointed by the Chancellor from nominations by the Senate, and two students appointed by the Chancellor from a slate of four candidates from the Illinois student government.

Terms of faculty ordinarily shall be four years; terms of students ordinarily shall be one year, with the possibility of reappointment for an additional year. Continuing faculty members of the Athletic Board and the expiration of their terms are as follows:

| | | |
|---------------------|------------|-------------|
| Kathryn Clancy | LAS | 2018 |
| Kelly Bost | ACES | 2019 |
| <i>Vicente Diaz</i> | <i>LAS</i> | <i>2017</i> |
| Adrienne Dixson | EDUC | 2016 |
| Michael LeRoy | LER | 2018 |
| Michael Raycraft | AHS | 2019 |
| Thomas Ulen | LAW | 2017 |

The Committee on Committees recommends approval of the following slate of nominees.
(Submitted interest statements from nominees are attached.)

Nominations

The following faculty members are nominated to fill one faculty vacancy created by the resignation of Vicente Diaz (LAS) for the remainder of the term ending in 2017. If no additional nominations are made, the nominees below will be forwarded to the Chancellor.

| | |
|--------------------|------|
| James D Anderson | EDUC |
| F. William Simmons | ACES |

The following students are nominated to fill one student vacancy unfilled during the spring 2015 elections for a one year term expiring in 2016. If no additional nominations are made, the nominees below will be forwarded to the Chancellor.

| | |
|------------------|------|
| Brianna R Alston | ACES |
| Titus Potter | LAW |

COMMITTEE ON COMMITTEES

- Tim Flanagan
- George Gross
- Sarah Hochman
- Prasanta Kalita
- Randy McCarthy
- Lisa Monda-Amaya
- Nancy O'Brien
- Titus Potter
- Marissa Roberson
- Jenny Roether, *ex officio*

Nominations from the floor must be accompanied by the nominee's signed statement of willingness to serve if elected, and a statement of interest. The statement shall be dated and include the name of the position to be filled. If present, the nominee's oral statement will suffice.

FACULTY NOMINEES

ANDERSON, James D (EDUC: Education Policy, Organization and Leadership)

James D. Anderson is the Edward William and Jane Marr Gutsell Professor of Education; the Head of the Department of Education Policy, Organization and Leadership; the Executive Associate Dean for the College of Education and affiliate Professor of History. His scholarship focuses broadly on the history of U.S. education, with specializations in the history of African American education in the South, the history of higher education desegregation, the history of public school desegregation, and the history of African American school achievement in the 20th century. His book, "The Education of Blacks in the South, 1860-1935," won the American Educational Research Association outstanding book award in 1990. He is senior editor of the *History of Education Quarterly*. Anderson has served as an expert witness in a series of federal desegregation and affirmative action cases, including *Jenkins v. Missouri*, *Knight v. Alabama*, *Ayers v. Mississippi*, *Gratz v. Bollinger*, and *Grutter v. Bollinger*. He served as an adviser for and participant in the PBS documentaries *School: The Story of American Public Education* (2001), *The Rise and Fall of Jim Crow* (2002) and *Forgotten Genius: The Percy Julian Story*. He was elected to the National Academy of Education in 2008. In 2012, he was selected as a Fellow for Outstanding Research by the American Educational Research Association and received the Lifetime Achievement Award from the American Association of Colleges for Teacher Education (AACTE). In 2013, he was selected Center for Advanced Study Professor of Education Policy, Organization and Leadership at the University of Illinois. He is a past chair of the Athletics Board for the Division of Intercollegiate Athletics and has been instrumental in the creation and maintenance of CASA (Committee for the Admission of Student Athletes) and the first summer Bridge/Transition Program for student athletes.

SIMMONS, F. William (ACES: Crop Sciences and Natural Resource and Environmental Sciences Departments)

I would be happy to serve the University if selected to fill a four-year term on the University of Illinois Athletic Board. I would bring interest, enthusiasm, institutional knowledge, and experience to such a role. I have been on faculty at the University of Illinois in the College of ACES since 1987, and just recently retired to an emeritus appointment where I continue some teaching and research on campus.

I closely follow most of the Illinois athletics portfolio and have done so since arriving on campus. My children have participated in many of the summer camps offered by our intercollegiate coaching staff and I have a son, Bradley Simmons, who was a high jumper on the Track Team a decade ago. Through him I learned about and came to respect the strong institutional structure surrounding athletic achievement. I firmly believe that Brad's academic foundation put in place by DIA counselors put him in a strong position to graduate (which he did). As an instructor I have had numerous athletes in my classes and have provided them with flexibility and understanding as they split their time between athletics and academics.

As an ACES assistant dean (2005-2014) I became even more familiar with the academic-athletic interface. I worked with DIA to evaluate transfer courses for athletes coming into our programs. I was the main contact for NCAA certification and "progress toward graduation" metrics, working with Chris Byron in DIA. On occasion I represented the College at CASA meetings where we evaluated academic strengths of recruit/applicants. I took advantage of opportunities to become familiar with academic counselors and some coaches. I am sensitive to the delicate balance of academic and athletic achievement and am proud of The Illinois tradition. I have viewed Illinois athletics as a professor, Assistant Dean, father, social friends of coaches, and most of all a fan. If I could be of service I would be happy to fill this role.

STUDENT NOMINEES

ALSTON, Brianna R (ACES)

My name is Brianna Alston, and I am a senior at the University of Illinois studying Natural Resource Environmental Studies. I plan on furthering my educational career in graduate studies in the field of Marine Biology with a concentration in physical oceanography. I created a women's intramural soccer team in the fall of 2013 and had continued to grow with my team. This fall marks three years since the creation of the intramural team and it has had great success. This past year, we made it to the semifinals of the intramural championships. Optimistically, we look forward to accomplishing many more milestones this year. I have had the honor of holding a chairman position for the Public Affairs Committee in Student Senate. Holding this position has opened many doors to many student- inclusive projects with the involvement of a wide range of students including student athletes. Having the opportunity to serve on both the Public Affairs and Student Services Committee has given me the ability to utilize ideas and specific projects from the Athletic Board to be able to apply it to the student body. I have found that student athletes are much more involved with student senate and other organizations than ever before. Now, there are more student-athletes inquiring about different ways to get involved at the University. From my experience of serving on the Athletic Board, one of the main goals that we focus on is to figure out a way to expose our student-athletes to different resources on campus. It is also the goal of the Athletic Board to continue to grow connections between student athletes and faculty, and also other students. Being a part of the Athletic Board has surely opened many doors for me to help do so. To be able to continue holding a position on the Athletic Board would be an honor for me. I would be able to continue to help accomplish new goals for the University, the success of our student athletes, and their athletic programs in the 2015-2016 school year.

POTTER, Titus (LAW)

I was born in Long Beach, CA, but lived most of my life in Compton, CA. In 2006, I graduated from Junipero Serra High School in Gardena CA, after lettering in football and track and field. After graduation, I began attending California State University, Long Beach (CSULB) where I graduated Cum Laude with a B.A. in Political Science and Legal Studies Certificate. During my tenure at CSULB, I served as President of Black Business Student Association, Vice President of Social Affairs for Financial Management Association, and as an Academic Senator. In addition, I interned for the Los Angeles Superior Courts, Warner Music Group's Rhino Record, and the Central Intelligence Agency. After graduating from CSULB, I became a member of JB Hunt Transportation RISE Management Training Program. After completing JB Hunt's Management Trainee Program I was promoted to Fleet Manager. As a Fleet Manager I managed over 40 company drivers and oversaw all driver and customer related concerns. In 2014, I left JB Hunt to pursue my legal education at the University of Illinois College of Law. During my first year at the College of Law I served as the 1L representative for Student Legal Relief and Government Interest Law Association. In spring 2015, I was elected to the University of Illinois Student Senate for the Fall 2015-Spring 2016 term. In addition to the Senate, I Chair the Committee on Community and Government Affairs Committee. Lastly, I clerked for the Honorable Chrystel Gavlin of the Will County Court over the 2015 summer and am currently clerking for the Federal Public Defender in Urbana. My overall goal is to impact social policy through law and to work towards improving political and social awareness among minority children in low-income and urban communities.

**UNIVERSITY OF ILLINOIS
URBANA-CHAMPAIGN SENATE**
Committee on Committees
(Final;Action)

CC.16.05 Nominations to the Research Policy Committee

BACKGROUND

The Research Policy Committee advises the Chancellor, the Vice Chancellor for Research (VCR), and the Senate on matters of research policy. Eight of the ten faculty members are appointed by the VCR from nominations by the Senate. The one graduate member and one undergraduate student member are each appointed by the VCR from nominations by the Senate. Nominations should be twice the number of vacancies. The faculty members and graduate student member serve two-year terms and the undergraduate student serves a one-year term.

The faculty chair is selected in consultation with the Senate Executive Committee. The Chair of the Research Policy Committee will report to the Senate Executive Committee on the activities of this committee three times a year and will report to the full Senate annually.

NOMINATIONS

The Research Policy Committee has not been appointed for several years and needs to be reconstituted. Therefore, Committee on Committees recommends approval of the following slate of nominees to fill all eight faculty vacancies. If no additional nominations are made, the nominees below will be forwarded to the VCR.

| | | | |
|----------------------|------|------------------|------|
| Fouad Abd-El-Khalick | EDUC | Sarah Lubienski | EDUC |
| Nicole Allen | LAS | Susan Martinis | LAS |
| Douglas H Beck | ENGR | Neal Merchen | ACES |
| Jennifer Bernhard | ENGR | Feng Sheng Hu | LAS |
| Jeff Brawn | ACES | Jeffrey A. Woods | AHS |
| John Hart | ENGR | | |

COMMITTEE ON COMMITTEES

Prasanta Kalita, Chair
Tim Flanagan
George Gross
Sarah Hochman
Randy McCarthy
Lisa Monda-Amaya
Nancy O'Brien
Titus Potter
Marissa Roberson
Jenny Roether, *ex officio*

Nominations from the floor must be accompanied by the nominee's signed statement of willingness to serve if elected. The statement shall be dated and include the name of the position to be filled. If present, the nominee's oral statement will suffice.

UNIVERSITY OF ILLINOIS
URBANA-CHAMPAIGN SENATE

University Statutes and Senate Procedures
(Final; Action)

SP.15.04 Proposed Revisions to the *Bylaws*, Part D.6 – Committee on Committees

BACKGROUND

Members of the Senate Committee on Committees have historically been senators at the time their committee term begins. While the Senate Committee on University Statutes and Senate Procedures (USSP) finds this practice wholly compliant with both the wording and intent of the relevant *Bylaws*, Part D.6, USSP recommends that language be inserted to codify the practice explicitly.

RECOMMENDATION

The Senate Committee on University Statutes and Senate Procedures recommends approval of the following revisions to the *Bylaws*, Part D.6. Text to be added is underscored.

PROPOSED REVISIONS TO THE *BYLAWS*, PART D.6

- 1 6. Committee on Committees
2
3 (c) Nomination and Election of Faculty and Student Members
4 1. Nominations for the Committee on Committees shall be made by the incumbent
5 Senate Executive Committee. Nominations may also be made for faculty committee
6 positions by faculty senators, and for student committee positions by student senators.
7 Each nomination shall be accompanied by the consent of the nominee. Nominees
8 must be senators at the time the committee term begins.

UNIVERSITY STATUTES AND SENATE PROCEDURES
William Maher, Chair
H. George Friedman
Shawn Gordon
Wendy Harris
Calvin Lear
Anna-Maria Marshall
Mark Roszkowski
Gisela Sin
Sandy Jones, *Ex officio (designee)*
Jenny Roether, *Ex officio*
Dedra Williams, *Observer*

UNIVERSITY OF ILLINOIS
URBANA-CHAMPAIGN SENATE

University Statutes and Senate Procedures
(Final Action)

SP.15.10 Revisions to the *Senate Bylaws*, Part C, Section 4 to Conform with Student Election Practices

BACKGROUND

In October 2014, the Senate Committee on University Statutes and Senate Procedures received an inquiry from the Campus Student Election Commission (CSEC) regarding “run off” elections for crowded ballots (C.4.d). No structures exist in the *Election Rules for the Student Electorate* or in those supplementary rules of the CSEC for such elections. Given that there is no record or memory of past run-offs, the Committee proposes the deletion of this clause to conform with long running practice in place of new, lengthy procedures.

RECOMMENDATION

The Senate Committee on University Statutes and Senate Procedures recommends approval of the following revisions to the *Senate Bylaws*. Text to be deleted is indicated by strikeout (e.g., ~~sample text for deletion~~).

PROPOSED REVISIONS TO THE *SENATE BYLAWS*

1 **Part C - Elections**

- 2 4. Nomination and Election of Senators from the Student Electorate
- 3 c. Seats available in each election unit will be filled by ranking the number of votes
- 4 received. The candidate or candidates receiving the highest number of votes will be
- 5 elected first, then the candidate or candidates receiving the second highest number, and
- 6 so on, until all available seats are filled.
- 7 d. ~~If for any one voting unit there are fewer than four candidates for a seat, no run-off~~
- 8 ~~election need be held; a plurality shall be sufficient for election.~~

UNIVERSITY STATUTES AND SENATE PROCEDURES

William Maher, Chair
H. George Friedman
Shawn Gordon
Wendy Harris
Calvin Lear
Anna-Maria Marshall
Mark Roszkowski
Gisela Sin
Sandy Jones, *Ex officio (designee)*
Jenny Roether, *Ex officio*
Dedra Williams, *Observer*

**UNIVERSITY OF ILLINOIS
URBANA-CHAMPAIGN SENATE**
(Final; Information)

EP.16.14 Report of Administrative Approvals at the August 24, 2015 meeting of the EPC.

Graduate Programs

Master of Science in Mathematics, College of Liberal Arts and Sciences and the Graduate College – Add MATH 418, Introduction to Abstract Algebra II (3 or 4 hours) to a list from which students are to select one course from MATH 500, Abstract Algebra I (4 hours) or 501, Abstract Algebra II (4 hours). *Math 418 serves as a good alternative to MATH 500 or 501 for students in the MS Mathematics Programs whose emphasis is not in algebra.*

Master of Science in Applied Mathematics-Computational Science and Engineering Option, College of Liberal Arts and Sciences and the Graduate College – Add Math 418, Introduction to Abstract Algebra II (3 or 4 hours) to the advanced algebra and analysis requirement, for which students are to select one course from MATH 448, Complex Variables (3 or 4 hours); 500, Abstract Algebra I (4 hours); 540, Real Analysis (4 hours); or 542, Complex Variables I (4 hours).

Doctor of Musical Arts in Music, College of Fine and Applied Arts and the Graduate College – In the Performance and Literature, Vocal Coaching and Accompanying, and Music Composition Concentrations, add MUS 418, Regional Studies in Musicology (4 hours) to the list of Advanced Music History courses from which students select a total of 8 hours.

Master of Arts and Doctor of Philosophy; Education Policy, Organization and Leadership; College of Education and the Graduate College – Map the Graduate Concentration in African American Studies (AAS) to the M.A. and Ph.D. graduate degree programs in Education Policy, Organization and Leadership (EPOL). The AAS Concentration had been mapped to the analogous degree programs in Educational Policy Studies; when that department and its graduate programs reorganized to EPOL, the approved proposal did not explicitly include mapping of the AAS Concentration, so that request is being made now.

Undergraduate Programs

Minor in Computational Science and Engineering, College of Engineering – In list of courses from which students can choose to fulfill the requirement of 9 hours of Programming Core Courses, replace ECE 198, Special Topics, Introduction to Computer Engineering (4 hours)/ECE 190, Introduction to Computing Systems (4 hours) with ECE 220, Computer Systems & Programming (4 hours). Total hours for the minor is unchanged. *This particular section of ECE 198 as well as ECE 190 have been discontinued.*

Bachelor of Arts in the Teaching of French, College of Liberal Arts and Sciences – Remove FR 217, Advanced Oral French (2 hours) and FR 416, Structure of French Language (3 hours), from the list of required Professional Education Courses. These two courses have been discontinued. Increase the “Additional courses in French language, literature, and civilization” requirement from 9 hours to 14 hours so the total hours required for the major (68) remains unchanged.

UNIVERSITY OF ILLINOIS
URBANA-CHAMPAIGN SENATE
 University Senates Conference
 (Final; Information)

UC.15.09 Report on the May 26, 2015 Meeting of the University Senates Conference (USC) at the Springfield Campus

The Conference membership list for 2014-15 can be found here:

<http://www.usc.uillinois.edu/membership.cfm>

The agenda for this meeting can be found here:

<http://www.usc.uillinois.edu/documents>

The Conference was joined by President Tim Killeen; Vice President of Academic Affairs Christophe Pierre; Special Assistant to the President Michael Devocelle, and Prof. Meena Rao, incoming UIC representative to the Conference

MEETING WITH PRESIDENT KILLEEN

This was the Conference's first meeting after Dr. Killeen formally assumed the presidency. A large part of the hour-long conversation with him was dedicated to news and updates from the President:

The president spoke about the activities of his first week in office, when he carried out visits to all campuses, including Peoria and Rockford. The focus of the intensive week of meetings was the initiation of a conversation about our common future. Faculty at Peoria and Rockford expressed strong support for the idea of transferring the M1 program (first year of Medical School) there in conjunction with the new Urbana College of Medicine. As part of the week of meetings, the President met with editorial boards, business leaders (including representatives of Caterpillar), and mayors; and he held town hall meetings on all the campuses. He characterized the interactions with students as "dynamite." As the President noted, a positive account of the visit to UIC was given in a *Chicago Tribune* editorial.

President Killeen told Conference members that, after his meeting with us, he was planning to attend a lunch meeting of all the public university presidents, to be followed by a meeting with the Illinois Speaker of the House and with the Governor's Chief of Staff. The meetings were designed to emphasize the value proposition of public higher education in Illinois. The President intended to stress the role of the University of Illinois as a leadership voice for public higher education. Pres. Killeen also commented on the remarkable ease of access he had been granted to the leadership of the state.

As the Conference was informed in April, this year's search for a new Executive Director of Governmental Relations was folded and no new hire was made. The President will relaunch this search, with a new, smaller committee.

In a look at summer plans, the President mentioned two key meetings devoted to developing a University-wide strategic plan: in June, a planning exercise in which the guiding principles for decision making would be determined; and the full Board-sponsored university-wide retreat in July.

In relation to the implementation of the UA review that was carried out over a year ago, the President plans to do a "360 review" of direct reports, which will provide feedback for senior leadership. Reviewing the implementation status, he said that, of the 47 recommendations, 22 were fully implemented, 14 are underway, 8 are in the early stages, and 4 are on hold.

The budget task force is currently examining the status of cash reserves, and reviewing the state of the UIC hospital and of the three campuses. The President emphasized the importance of maintaining the appropriate level of liquidity for cash reserves.

The president also expressed his views on some issues:

He praised Prof. Joe White's presentation to the Board of Trustees on the transition toward a new College of Medicine on the Urbana campus, and emphasized the need to follow the correct procedures. Chancellor Wise has written a memo to this effect. No decision has been made on processes to be followed. The Transition Committee report lays out a road map but the Board has approved no resolutions. The transition committee will be involved in follow-up on the processes.

Regarding the allegations of abuse in the Athletics program at Urbana, he called the news of allegations a reputational hit to the whole university, but cautioned that, essentially, management of the issue is a campus question, so campus leadership is managing this. The president said he is paying a lot of attention to the sorts of training in the creation of a healthy workplace environment that are necessary to provide a healthy learning situation for our students. He called it “intolerable” to have even the perception of a situation that undermines the health of the students’ learning situation.

In comments reflective of the President’s general approach to leadership, he:

- 1) Stated that his approach to change is to continually improve rather than to make sudden overhauls and then stop changing;
- 2) Spoke of the need to maintain confidentiality in certain situations, such as searches, stating that “confidentiality is the flip side of transparency”; that is, transparency is threatened when there is no trust that participants will respect confidentiality when necessary;
- 3) Expressed the view that civic engagement is a potential cross-campus initiative, connected to public policy initiatives. He expressed the view that the University is not currently the “go-to place” for higher education policy, taxation policy, etc., and we should be.
- 4) Expressed the desire to avoid having anything “go awry because of lack of contact or lack of process,” gave all members of the Conference his cell phone number, and encouraged each Conference member to feel free to call him directly “if there is something that is emerging.”

BUSINESS MEETING

The Conference approved the final version for circulation of a Conference “White Paper on Shared Governance at the University Level” (attached to this report).

Conference members also discussed proposed amendments to the Statutes that had been approved by the UIS and UIC senates. Upon the advice of the USC Statutes and Governance committee, the USC approved motions that the following recommendations be forwarded to the Board of Trustees:

II.1.a “sole”: Keep “sole” but insert “jointly”: “assembly jointly representing the faculty...”

II.2.a.5: last sentence to read “The bylaws and any changes thereto shall be reported to the campus senates and to the Board of Trustees through the president.”

(Also approved parallel revision of USC Bylaws (Section 8.4).)

III.4 to read “...that the form of the administrative organization of the department be changed from a chair to a head, or a head to chair...”

IX.5.c to read “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 . . . 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. Exceptions may be made to this rule in special cases which are approved by the dean or appropriate administrator...”

This completed the Conference’s processing of the proposed revisions to the *Statutes* and *General Rules*.

USC members also considered issues of faculty governance and process in the formation of a policy on criminal background checks, including the question of practical difficulties of conducting the check after a faculty member has accepted an offer of employment. The discussion was informed by the AAUP document on background checks co-authored by Urbana faculty member Matthew Finkin: <http://www.jstor.org/stable/40252613>.

A draft document proposing five principles of implementation was discussed; among these principles were the consent of the prospective employee. The Conference decided to consider the following at the June 2015 meeting:

- 1) The “five-principles” draft document;
- 2) a recommendation that the check be done at the short-list stage but not before;
- 3) the Finkin et al AAUP document.

The meeting was adjourned at 2:06 pm.

Respectfully submitted,
Joyce Tolliver, USC Liaison to Senate Executive Committee

UNIVERSITY SENATES CONFERENCE
WHITE PAPER ON SHARED GOVERNANCE AT THE UNIVERSITY LEVEL

Approved 5/26/15

As we enter a time of transition that will accompany major changes in administrative leadership and the development of a new strategic vision encompassing the entire University of Illinois, the University Senates Conference affirms its commitment to the principles and practices of shared governance and in this White Paper conceptualizes the role of shared governance in the function of the University.

The Conference is the agency whose responsibility is representing the faculty of the entire University of Illinois to the President and the Board of Trustees. Conference members are elected by their respective campus senates. While Conference members represent the perspectives of their home campuses, each member is also committed to working for the common good of the entire University. This dedication to the good of the entire University and to each of its three campuses is a unique characteristic that sets the Conference apart from other elected faculty governance groups, and is an essential aspect of its mission. (See “University Senates Conference Statement on Excellence at the University of Illinois” and “University Senates Conference Resolution on Avoiding Cross-Campus Conflicts,” appended.)

The foundation of shared governance requires the active participation of faculty at all levels in decisions and decision processes. When faculty are actively involved in decision making and setting priorities, they will better understand the evidence the reasons behind reforms, and be better able to provide ideas for proposed solutions. When they are directly engaged in the planning process, they have a say in plans developed and hence a more robust stake in seeing reforms succeed. When deliberations entail hard choices and sacrifice, and elected faculty representatives have helped determine these decisions, then other faculty are more willing to accept the outcomes because they trust that their interests were considered and represented in the deliberations. When administrators engage faculty via shared governance in the decision processes, the administrators have greater success, both in the particulars of advancing new initiatives and in their leadership roles more broadly. Shared governance provides a necessary vehicle and an effective platform for dialogue between faculty and administrators.

Ultimately, effective shared governance requires three essential interacting principles: (1) clear statutory rules and organizational structures that instantiate a set of consistent procedures; (2) a tradition of productive relationships formed and sustained over time between faculty and administrators, through the established structures of shared governance (i.e. senates, Senates Conference, and their subcommittees), involving open channels of communication, respect, and trust; (3) a general ethos across the University of shared responsibility for governance, in which administrators at all levels and the faculty as a whole understand the reciprocal (and often overlapping) spheres of responsibilities that administrators and faculty each manage.

In fulfilling its responsibilities the Conference has monthly discussions with the President, the Vice-President for Academic Affairs, other administrative leaders of the University and members of the Board of Trustees. The *Statutes* and *General Rules* specify certain occasions when the Conference's advice *must* be sought, such as the appointment or re-appointment of University Officers or proposals to amend the University's governing documents. The Conference's conversations with the President and the President's cabinet are designed to provide for the free flow of information and perspectives on any number of issues affecting the University, from ever-present budgetary concerns to matters such as strategic planning or protecting academic freedom, as well as anticipating areas of concern and interest. To facilitate these interactions, the Conference Chair and the President schedule frequent meetings to maintain open lines of communication.

In recent years, the Conference has reached out to representatives of the Board to share faculty views and to keep the Board informed about issues the Conference is discussing. Similarly, the Board has consulted with the Conference. Members of the Board now meet regularly with the Conference to build and enhance mutual understanding, to learn about faculty concerns, and to seek the Conference's input on issues the Board is considering. The Conference is now organized to have four subcommittees that parallel the charges of the Board's committees. In addition to interacting with the subcommittees of the Board, Conference members make presentations at Board meetings.

Institutional questions that remain paramount for all sectors of the University and require discussion include: What are our core values and missions; How do we define the interrelated missions of teaching/scholarship/economic development/diversity/service/community engagement in the context of our specific campus identities; How do we balance the tensions between campus autonomy and centralized authority; What are the special responsibilities of a flagship University, particularly in the context of the land grant mission for the University of Illinois; and What are its special responsibilities to the state, the nation, and the world?

The University Senates Conference is committed to the principles of shared governance. Our goal is to promote and enhance trust, understanding and productive interactions among the Board of Trustees, the University Administration and the faculty of the University of Illinois.

**UNIVERSITY OF ILLINOIS
URBANA-CHAMPAIGN SENATE**
University Senates Conference
(Final; Information)

UC.15.10 Report on the June 25, 2015 May 26, 2015 Meeting of the University Senates Conference (USC) at the Chicago Campus

The Conference membership list for 2014-15 can be found here:

<http://www.usc.uillinois.edu/membership.cfm>

The agenda for this meeting can be found here:

<http://www.usc.uillinois.edu/documents>

The Conference was joined by President Tim Killeen; Vice President of Academic Affairs Christophe Pierre; Thomas Hardy, Director of University Relations, and Ginny Hudak-Davis, Office of University Relations

The meeting was convened at 10:00 AM and began with an executive session held with President Killeen to discuss the annual performance review of Vice President Pierre. After about 40 minutes, the executive session adjourned and the Conference returned to its regular open session.

MEETING WITH PRESIDENT KILLEEN AND VICE PRESIDENT PIERRE

President Killeen gave the Conference a report on the small strategic planning retreat that had just been held on June 23-24 at Allerton, which was the first step in a university-wide strategic planning process. The June retreat was designed to generate “working hypotheses” to be explored in the larger July Retreat, and during the follow-up to that Retreat, which will include town hall meetings and webinars. The June retreat had two goals: 1) to build the leadership team; 2) to frame out the July Board Retreat event planning. A third goal was to enjoy each other’s company. The University hired a group of expert facilitators to help coordinate the process.

Among other points, the June 23-24 participants discussed student enrollment. The Conference learned that, for fall 2015, the University is seeing record student enrollment and a higher yield, with no increase to tuition. Average ACT scores are being maintained across the three campuses.

The President expressed the desire that the University strategic plan be rooted in those of the campuses, and asked the Conference for ways to include the voices of beginning faculty members, students, and specialized faculty members.

He stated that decisions to be made about our future are not just about the budget, but about who we are and want to be, what kinds of impact we would like to make. He emphasized that the planning must be informed by data, and that the data used in the process would be shared on a website. Pres. Killeen mentioned that meetings with USC had been very helpful in planning the Strategic Planning process.

MEETING WITH THOMAS HARDY, DIRECTOR OF UNIVERSITY RELATIONS, AND GINNY HUDAK-DAVIS, SENIOR ASSOCIATE OFFICER

Mr. Hardy explained that the Office of University Relations has two basic functions, one related to public relations and communications; and the other focused on carrying out the university’s obligation to comply with the Illinois Freedom of Information Act (FOIA). The office is small, with a staff of only six, divided between Chicago and Urbana. According to Mr. Hardy, each campus also has a small group of

faculty representatives to advise the Office. He directed us to the Office website for the current composition of this group (Uillinois.edu/OUR).

Most of our discussion centered on FOIA, how the University enacts the provisions, and what the relevance of FOIA is for faculty members. Among some of the points made by Mr. Hardy about FOIA were:

It doesn't matter where you store public records in your possession, who requests the records, or why the request was made

- Unrecorded phone calls and face to face conversations are not subject to FOIA.
- Documents that no longer exist are not subject to FOIA.
- Personal emails or text messages are subject to FOIA if they pertain to the transaction of University business
- LYNC messages are subject to FOIA
- FOIA does not require that records be created
- USC Chair Chambers suggested that information on FOIA be provided to recipients of FOIA requests.

Discussion arose over the provision of the FOIA law specifying that a "request" must identify the particular public record the requestor seeks"

(<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=85&ChapterID=2>).

Mr. Hardy and Ms. Hudak stated that they would consider a request for all emails produced within a time period to have identified "the particular public record" being sought.

The Conference also discussed how the University would protect the privacy of its employees and their right not to release personal correspondence that does not "pertain to the transaction of public business" (<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=85&ChapterID=2>). Conference members suggested that requests to employees to produce communications in response to FOIA requests be circumscribed by the phrase "pertaining to the transaction of public [or University] business."

In response to a question from the Conference, Mr. Hardy clarified that there is no restriction on faculty members deleting email messages from their accounts.

ORGANIZATIONAL MEETING

The slate of nominees for chair, vice chair, and committee members was distributed. There were no floor nominations. Nicholas Burbules (Urbana) was elected Chair; Jorge Villegas (UIS) was elected vice-chair; and the Conference elected Meena Rao (UIC), Kouros Mohammadian (UIC), Peter Boltuc (UIS), and Gay Miller (Urbana), to join the Chair and the Vice Chair on the executive committee.

Committee assignments were approved as proposed and may be found at <http://www.usc.uillinois.edu/membership.cfm>

BUSINESS MEETING

Chair Chambers summarized some key points he intended to include in his annual report to the Board at their July meeting. He asked Conference members to suggest nominees for participation in the July retreat from among assistant professors and specialized faculty members, as well as students. USC statement on background checks was postponed until the August 2015 meeting.

The meeting was adjourned at 2:45 pm.

Respectfully submitted by Joyce Tolliver, USC Liaison to the Senate

UNIVERSITY OF ILLINOIS
URBANA-CHAMPAIGN SENATE
 Urbana Senate Observer
 (Final; Information)

SC.15.16 Report on the July 23, 2015 meeting of the Board of Trustees of the University of Illinois at the Chicago Campus

The meeting began as usual with a performance of the state song, "Illinois."

Board Chairman Edward McMillan welcomed President Timothy Killeen to his first solo meeting with the Board.

Chancellor Michael Amiridis welcomed the Board to UIC and gave a brief presentation on his campus.

VP Walter Knorr provided an overview of university resources. He noted the ongoing budget impasse. A bill to cut university funding 8.5% (\$57 million) was vetoed by the governor. There will be no 2016 capital bill. No progress on pension reform. Total unfunded liability of public pensions is \$105 billion. The lack of a state budget has delayed university budget planning. About 20% of the state appropriation from the last FY has not yet been paid (\$114 million receivable). VP Knorr traced the decline in state GRF support from 2002 to the present.

USC Chair Donald Chambers gave a presentation on the accomplishments of USC over the last year. He noted the "vigorous" health of shared governance at the University of Illinois. He noted two recent resolutions on promoting campus excellence. The USC oversaw the revision of Statutes and General Rules; created a new set of Bylaws for the USC; and produced a white paper on principles of shared governance. He closed by offering his thoughts on building the university as a learning community. At the conclusion of his comments, Chairman McMillan and President Killeen presented him with their thanks and a gift.

President James Moore from the UI Foundation presented a report. The "Road Map Plan" is intended to double fundraising and to support the university strategic plan. To advance, fundraising needs to work closely with alumni relations and media relations and "branding." The groundwork is being laid for the launch of the next major campaign. Urbana fundraising is up almost 14%.

President Loren Taylor from the UI Alumni Association presented a report. He talked about the importance of "Illinois Connection" as an advocacy group for the University of Illinois. He announced the creation of a new University of Illinois Welcome Center in Alice Campbell Hall, to be completed in time for the sesquicentennial.

Trustee Karen Hasara welcomed the appointments of the three new student members of the Board: Jaylin D. McClinton (Urbana); Jauwan Hall (Chicago); and Dominique Wilson (Springfield).

The Board approved the appointments of the following Deans from Urbana: Jeffrey Brown, Dean of Business; Janice Slater, Dean of Media; Vikram Amar, Dean of Law; and Wojtek Chodzko-Zajko, Dean of the Graduate College.

The Board approved the affiliation agreement with Carle to establish the "Carle Illinois College of Medicine."

The Board approved various Urbana academic programs, faculty and staff appointments and promotions, an application fee increase from \$60 to \$75 for international students at Urbana, and approved repair and capital budgets for the College of Engineering, Turner Hall, and Veterinary Medicine. The Board approved the transfer of the Illinois Program for Research in the Humanities (IPRH) from the College of LAS to the office of the Vice Chancellor for Research.

Respectfully Submitted
 Nicholas Burbules

UNIVERSITY OF ILLINOIS
URBANA-CHAMPAIGN SENATE
 Urbana Senate Observer
 (Final; Information)

SC.16.13 Report on the September 10, 2015, meeting of the Board of Trustees of the University of Illinois at the Urbana-Champaign campus

Chairman McMillan convened the meeting at 8:00am with Board Secretary Susan Kies calling the Roll. The BOT immediately went into Executive Session to consider:

- University employment and appointment-related matter
- Setting the price for the sale and lease of property owned by the University
- Discussion of minutes of meetings lawfully closed under the Open Meetings Act

Open session resumed at 9:45am. The Other Guys performed the Illinois state song, and they were asked to introduce themselves by name, major, and hometown before departing. Trustee McMillan asked Trustee Montgomery to share the news that Trustee Brown Holmes had been named President of the 21,000 member Chicago Bar Association, only the second female African-American to be President.

President Timothy Killeen introduced the official guests including the University's Vice Presidents as well as official observers. Tom Hardy introduced members of the press who were in attendance. President Killeen mentioned that the enrollment numbers for the semester were very good with records or near records set for multiple categories throughout the campuses.

Acting Chancellor Barbara Wilson welcomed the BOT to the campus. She shared that her short tenure has not been dull. She stated that while presidents, chancellors, provosts, and deans come and go, the excellence of the campus is derived from the daily interaction of its faculty and students. The 10-day enrollment figures that she shared included 7,565 freshmen and 1381 new transfer students. This year's freshmen class includes 73% as residents of Illinois. Underrepresented groups make up 17% of the new students with increases in every category, and 20% of the new students are first in their family to go to college. Acting Chancellor Wilson reported that 120 new tenure-track faculty joined the campus for this semester. US News & World Report recently released its university rankings with UIUC ranked 41st overall and tied for 11th amongst public institutions.

Vice President and CFO Walter Knorr shared financial information about the University. The University continues to plan for a range of state funding cuts from the 8.5% proposed by the General Assembly to the 31% proposed by Governor Rauner. The state still owes the University \$49 million from FY15 appropriations, and Mr. Knorr expects the remainder of those funds to come in September. The state continues to pay Medicaid claims, but it is not paying other bills submitted by the University for FY16. The University will be able to make September payrolls, but he did not make any statement regarding future months. All state capital programs are frozen while the state has no budget. Once the state passes a budget for higher education, Mr. Knorr says that the University's budgeting process will need 60 days to be completed.

Associate Chancellor Pradeep Khanna introduced a group of four students that shared quotes from faculty, alumni, the press, and government officials from important events of University history to introduce activities around the University's 150th anniversary coming in 2017. More information can be learned at 150.illinois.edu with events beginning in February 2017 and culminating with commencement in May 2018. Events are planned on the campuses, but also anywhere around the world that there are concentrations of alumni who have made an impact.

BOT committee reports:

- Trustee Sepeda: reported on the Audit, Budget, Finance and Facilities Committee

- Trustee Fitzgerald: reported on the Governance, Personnel, and Ethics Committee
The background check policy was completed. He shared that it does not dictate hiring decisions and that the results of the background checks are not to be used to prevent to prevent people with criminal backgrounds from working at the University.
- Trustee Koritz: reported on the University Healthcare Systems Committee
- Trustee Hasara: reported on the Academic and Student Affairs Committee
The committee endorsed Dr. Barbara Wilson for Interim Chancellor and Dr. Edward Feser to become Interim Provost. Vice President Christophe Pierre shared that the University's entire freshmen class is over 11,000 students, an increase of 10.2% University-wide. The primary drivers between the increase are low or no increase in tuition, increased financial aid opportunities, establishment and strengthening of recruitment from underrepresented populations, and improvements in the application process. Trustee Montgomery asked about African-American students, and several Trustees agreed that the increases in numbers are a positive sign but that continued effort needs to happen.

There was no one there to give public comment.

Chair Nicholas Burbules of the University Senates Conference gave a report from the USC on a set of to-do items that the USC sees as important for this year. The areas of focus include outcomes from the BOT retreat, changes to the Statutes and General Rules, and enhancements to the USC's subcommittee structure. As the University looks at growth in enrollment, Chair Burbules said that growth should be defined within particular areas - which campuses, which population groups, what demographics etc. Chair Burbules asked that the BOT take action on the USC's recommendations for changes to the Statutes and General Rules instead of waiting. He also requested that the BOT consider adding a faculty member to each of its own committees that could bridge communications to the USC's identically named subcommittees. The Trustees said that their committee meetings are open to the public and that faculty would be welcome to participate in discussions. Trustee McMillan asked Chair Burbules and the USC to act as a conduit for faculty input and engagement in both directions.

A motion was made and seconded to approve by voice vote Board items A1 and 1 through 10. Trustee Montgomery asked about improvements to the hiring process, background checks, and BOT approval. President Killeen stated that only in unusual circumstances would the BOT not approve a faculty hire. VP Pierre stated that faculty positions are to be approved by the BOT before the first day of work. Trustee Fitzgerald stated that graduate students and existing employees seeking new positions are not subject to background checks under the new policy, and he stated that a policy decision regarding those two groups should be made by January 2016. Trustees McMillan, Sepeda, and Koritz each stated opposition for medical ethics reasons or other grounds to item 8, an amendment to student health insurance benefits for UIC specifically for gender reassignment surgical costs. The proposal addresses in-network and out-of-network cost concerns for both the beneficiaries and the University. Trustee Montgomery stated that the policy to cover gender reassignment procedures had already been decided previously and that this amendment was about a business decision. The items were passed unanimously by voice vote with Trustees McMillan, Sepeda, and Koritz in opposition to item 8.

The BOT approved by roll call vote Board items 11 through 16 with a few abstentions.

President Killeen stated that strong institutions self-correct and that he felt the University was on the right path to do that after recent events.

The BOT went into a second Executive Session at 12:00pm after which the meeting was adjourned.

Details of the meeting can be found

at: <http://www.bot.uillinois.edu/multimedia> and <http://www.trustees.uillinois.edu/trustees/agenda/September-10-2015/>

Respectfully submitted,
Mike Bohlmann

University Policy
On Background Checks

I. Purpose

In an effort to provide a safe and secure environment for all students, employees and visitors at the University of Illinois, to safeguard the University's reputation, property and resources, and to promote sound hiring decisions, the University has established the following policy and guidelines for conducting background checks.

II. Overview

Commencing on October 5, 2015, offers of employment to prospective new hires, as well as offers to current employees who are seeking to transition into a position that requires a background check, will be made contingent upon the results of the criminal background check and other pre-employment assessments. The purpose of these background checks is to ascertain the suitability for employment.

The University may revoke any conditional offer of employment to an individual who refuses to consent to a background check and individuals whose criminal record or history creates an unacceptable level of risk to (1) maintaining a safe and secure University environment, or (2) the University's reputation, property or resources. If an individual's background check indicates a criminal record or history, the University may conduct an individual assessment of the criminal record or history, which may include asking the individual about his/her criminal record or history. A criminal record or history will not automatically exclude an individual from being considered for or being offered employment with the University, as consideration is given to such factors as, but not limited to, the nature and seriousness of the underlying offense/conduct, the relatedness of the offense/conduct to the position being sought, the length of time that has elapsed since the conviction/end of sentence/conduct, and demonstrated rehabilitative efforts.

III. Individuals Covered

Except as set forth below, these guidelines will be followed and a background check will be conducted with respect to new hires and employees transitioning into security sensitive or critical positions, regardless of whether the individual is seeking a position as a faculty member (tenure track, non-tenure track, specialized faculty, or other academic), staff member (academic professional, civil service, extra-help, retiree, or hourly), or medical resident. A background check also will be conducted with respect to all individuals (including University personnel, graduate and undergraduate employees, fellows, volunteers, and contractors) who are subject to the University of Illinois Protection of Minors Policy or who may be assigned to a security sensitive position, as defined by the University.

A background check generally will not be conducted with respect to graduate or undergraduate student employees, fellows, volunteers, individuals appointed to non-paid positions, contractors or other individuals employed by another entity who are not subject to the University of Illinois Protection of Minors Policy or who will not be assigned to a security sensitive position, as defined by the University.

The University reserves the right, however, to modify at any time the categories or groups of individuals who may be subject to a background check.

IV. Responsibilities

Candidates

- Provide complete and accurate information relating to any past criminal convictions, when requested
- Provide consent to a background check, when requested

University Human Resources

- Facilitate University compliance with this policy to ensure campus policies and procedures follow established provisions and protocols for background checks
- Oversee the administration of, and the development and implementation of the policies and procedures relating to, background checks for individuals to be employed by or otherwise associated with University Administration
- Communicate and provide necessary training regarding this policy with respect to individuals employed by or otherwise associated with University Administration
- Coordinate the process for soliciting and contracting, as necessary, with an outside vendor to perform background checks on specified individuals pursuant to this policy

Campus/Central Human Resources


- Develop, oversee, administer and manage the background check policy, guidelines and procedures relating to background checks for individuals to be employed by or otherwise associated with their respective campuses, colleges, departments and units
- Ensure the background check policies, guidelines and procedures developed by that office for its respective campus, colleges, departments and units comply and are consistent with this policy
- Communicate and provide necessary training regarding this policy for individuals employed by or otherwise associated with their respective campuses

V. Confidentiality

All records obtained through a background check will be maintained in accordance with the background check and record retention policies and procedures established by each campus and by University Administration. All such records must be deemed confidential, maintained in a secured, access-

restricted file and be limited in access to only those University representatives who have a need to review or utilize those records in fulfilling their responsibilities under these guidelines.

DRAFT



Background Check Policy and Implementation

Senate Meeting
September 21, 2015

OFFICE of the PROVOST | UNIVERSITY OF ILLINOIS AT URBANA-CHAMPAIGN

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Background Check Policy

- Policy Approved by University of Illinois Board of Trustees
 - Approved September 10, 2015;
 - Effective October 5, 2015
- Background checks are conducted by a third-party vendor, [General Information Services, Inc. \(GIS\)](#)
- Currently already have Background Check policy for Security Sensitive Position and Protection of Minors

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Scope of the Background Check

- **The background check review is an individualized assessment of criminal conviction history**
- UIUC's standard background check includes:
 - National, state, and county criminal records
 - National Sex Offender Registry (SOR)
 - Social Security Number verification
- Indefinite time period for record search
- Search committees still responsible for verifying education and work history

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What is NOT included in the background check?

- Arrests with no convictions
- Civil court cases
- Credit history check
- Education verification
- Employment verification
- Social media activities
- Google searches

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Consultation & Guidance Sources

- CIC and other peers
- AAUP
 - *Verification and Trust: Background Investigations Pending Faculty Appointment* (2004)
 - Forthcoming meeting with AAUP UIUC Chapter
- Legal Counsel
- Council of Deans
- Senate Executive Committee
- Senate

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Background Check Policies at other Universities

- Background checks performed for all of tenure system and non-tenure track/specialized faculty members at the time of hire.
 - University of Iowa
 - University of Michigan
 - Michigan State University
 - University of Minnesota
 - Ohio State University
 - Penn State University
 - Purdue University
 - University of Wisconsin-Madison
 - Northwestern University
 - University of California- Los Angeles
 - University of North Carolina
 - University of Texas – Austin
 - University of Virginia

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Institutions that use an indefinite review period

- Northwestern University
- Penn State University
- University of Wisconsin-Madison
- University of California – Los Angeles

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| | UIUC | Michigan | UT-Austin | University of Virginia |
|----------------------------------|---|---|---|--|
| What is included in job postings | The University of Illinois conducts criminal background checks on all job candidates upon acceptance of a contingent offer. | The University of Michigan conducts background checks on all job candidates upon acceptance of a contingent offer and may use a third party administrator to conduct background checks. Background checks will be performed in compliance with the Fair Credit Reporting Act. | Background check conducted on applicant selected. | U.Va. will perform background checks including receipt of official transcripts from the institution granting the highest degree for all new faculty hires prior to making a final offer of employment. |
| When is a check completed | After acceptance of a written, contingent offer. | After acceptance of a written, contingent offer. | After acceptance of a written, contingent offer. | After selection for hire. |
| How is information collected | Online through vendor website | Online through vendor website | Through University website or paper form | Through University form |

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| | UIUC | Michigan | UT-Austin | University of Virginia |
|--|---|--|---|--|
| What is included in the check | Criminal misdemeanor/felony convictions, SSN verification and sex offender registry checks | Criminal misdemeanor/felony check, SSN verification, sex offender registry, and education verification | Criminal background check and sex offender registry check and optional employment history and education checks | Social Security Report Examination of Federal Debarment Lists Criminal History (domestic and international, if applicable) Employment Verification Degree Validation Sexual Offender Registry |
| Who has access to conviction information | Criminal Conviction Review Committee | Appointing unit and HR | HR and hiring unit | HR, Office of the Provost and Responsible Dean |
| How are non-hiring decisions handled | Criminal Conviction Review Committee consults with Provost Office (faculty) and consults with Dean, hiring unit | Hiring units consults with HR. Legal may be consulted | HR determines that there are relevant convictions, and hiring units will be contacted to discuss the non-hire decision. | The vice president and chief human resources officer (or designee) in consult with the Provost and the dean, along with the Office of University Counsel. |

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Sample Job Ad (Ohio State)

Assistant Professor, Social Media Analytics. Ohio State University
Rank: Assistant Professor

Qualifications:

Candidates must be in communication or a related social science field. Successful candidates will have a Ph.D. or be on schedule to earn the Ph.D. prior to August 2015. Applicants should have a demonstrated record of publication in top-tier journals as well as evidence of effective teaching. Complementary research and teaching interests in other communication areas are highly attractive but not essential. Appointment is contingent on the university's verification of credentials and other information required by law and/or university policies, including but not limited to a criminal background check.

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Proposed Review Procedures: Intent

- Reliance on appropriate expertise
 - Human resources
 - Legal
 - Faculty
 - Hiring college/school/department
- Consistent application of criteria and standards
- Limit potential impact on work environment for new faculty

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UIUC Background Check Process

- Hiring unit submits request for background check to Campus HR through HireTouch
- Campus HR determines if check is needed (new hires & existing employee hired into security sensitive positions)
- GIS emails candidate link for online authorization
 - Email comes from:
UniversityofIllinoisHR@geninfo.com
- GIS notifies Campus HR of background check results

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Timing of the Background Check

- After acceptance of a contingent offer letter, prior to beginning work
- Offer contingent upon successful completion of a criminal background check, along with any other pre-employment assessments (e.g., specialized job requirements such as licenses)

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Criminal Conviction Review Process

- Campus HR will provide the candidate with the conviction report and an opportunity to respond and provide any additional information
- Review Committee will consider information from the candidate, assess nexus of conviction to job and make a recommendation to Provost
- The dean and hiring unit will be engaged in a discussion regarding the impact of the conviction on hirability when a problematic nexus is identified
- Campus HR will personally notify candidates who are not cleared for hire
- Information in HireTouch will not distinguish between cleared or non-cleared candidates, will only reflect process is complete
- **No conviction information will be stored or maintained in HireTouch**

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Review of Criminal Convictions

- Conviction information not received until after a contingent offer has been made
- No automatic bars to employment
- **Individualized assessment**

Consideration of conviction history will focus on whether the conviction history has a considerable nexus with the responsibilities of the position and if hired, does this present an unacceptable level of risk to the University community (campus, unit, students, faculty/staff).

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Proposed Review Committee for Faculty/Specialized Faculty

- Campus human resources staff
- Faculty
 - Two tenured full professors (from a pool of faculty)
 - Provost will seek recommendations from the COD and Senate and appoint the committee
- UI law enforcement representative
- Legal counsel serves in advisory capacity as needed
- Committee will meet as needed

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Summary of Procedures

- Written authorization by candidate
- Copy of report shared with candidate
- Candidate given opportunity to correct and/or provide other information prior to decision
- Individualized assessment
- Faculty participation in review process
- Segregation of records; no conviction information stored in HireTouch

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Goals and Values

- Balancing risk while serving our core educational mission and values
- Fair and competitive process
- Careful assessment informed by faculty
- Ongoing monitoring of potential impact with Spring 2016 update to the Senate