

UNIVERSITY OF ILLINOIS URBANA-CHAMPAIGN SENATE
COMMITTEE ON UNIVERSITY STATUTES AND SENATE PROCEDURES
(Final; Action)

SP.22.01 Provisional Senate Response to Potential Revisions to the *Statutes* (initiated by USC ST-83)

BACKGROUND

In September 2021, the University Senates Conference (USC) transmitted a large package of proposed revisions to the University *Statutes* (ST-83) to the three University Senates, along with a transmittal letter and explanatory document. Since then, our Senate and the Senate Committee on University Statutes and Senate Procedures (SP) has been at work on these proposed revisions, initially referring relevant portions to the Faculty Advisory Committee (FAC), the Council of Academic Professionals (CAP), and the Senate Committee on Academic Freedom and Tenure (AF). The responses from these bodies, in combination with SP's deliberations, revealed that the Senate's response to ST-83 would need to be more detailed and complex than its typical response to proposed amendments to the *Statutes*.

SP identified four significant categories on which it needed the Senate's input, creating four prompts presented to the Senate for discussion or information at its meetings of [November 14](#) and [December 5](#), 2022, as well as [February 6](#) and [March 6](#), 2023:

- [SP.23.03](#): Proposed definitional changes in Article II
- [SP.23.04](#): Restructuring of Articles IX and X
- [SP.23.05](#): The proposed elimination of the category of "academic staff" throughout the *Statutes*, including impacts on academic freedom
- [SP.23.06](#): Changes that may affect academic professionals and related governance matters

Summaries of these discussions can be found in the relevant minutes for each respective Senate meeting: [November 14](#), [December 5](#), [February 6](#), [March 6](#) (attached as an appendix). SP.23.03 and SP.23.04 asked the Senate to review potential textual changes, including partial alternative language for the definitional changes in Article II proposed in ST-83 and the restructuring of Articles IX and X of the *Statutes*. SP.23.05 and SP.23.06 considered proposed employment category changes and included responses from both AF and CAP, alongside concerns about changes caused by the removal of the category of "academic staff" from the *Statutes*.

AF's response, included in SP.23.05, concluded:

A change in the scope of application of academic freedom is a matter that requires extensive discussion and consent. [...] The Senate should reject ST-83 because it changes the scope of application of academic freedom...

CAP's response, presented in SP.23.06, concluded:

CAP recommends that these proposed changes be rejected and ask that future proposals are more balanced and inclusive of all stakeholders involved in the governance of the University.

Typically, SP would work to synthesize all of this input into a full line-edited recommended response or responses to ST-83, which would then be presented to the Senate for its consideration and vote or votes for approval. However, given the scope and complications of the proposed changes, time has not allowed the development of these documents this academic year. At this stage, SP recommends that the Senate send the following provisional response to the University Senates Conference, noting that the Senate must still approve any final proposed changes via its regular procedures.

RECOMMENDATION

The Senate Committee on University *Statutes* and Senate Procedures (SP) recommends the Senate indicate its current support for the following categories of change proposed in ST-83:

- Clarifying that general uses of “faculty” throughout the *Statutes* encompass both tenure-system and non-tenure-system faculty, with any restrictions to either category clearly indicated.
- Additional definitional language in Article II, better specifying the role that each senate plays (ST-83, lines 133-135).
- The reorganization of Articles IX and X, provided that internal references to other locations in the *Statutes* are correctly modified, considered separately from and after any other proposed textual changes in these articles.

SP recommends that the Senate continue to deliberate:

- Whether the proposed schematic distinction between “academic” and “administrative” appointments clearly categorizes the work that various kinds of faculty and staff do.
- Whether a different definition of “academic staff” is warranted and how any changes to the category might impact governance and academic freedom rights.

In addition, some differences among the three universities have been identified, which will need to be reconciled before SP can offer the Senate any advice:

- Post-doctoral research associates and fellows are considered specialized faculty at UIUC, under *Provost Communication #25*, though they hold different statuses at the other universities.
- The use and textual placement of “visiting” modifiers and the rights granted to those with “visiting” modifiers will need to be agreed on.
- Other changes, including those affecting graduate assistants, notice rights, and civil service definitions, will need to be further examined and coordinated among the three universities.

UNIVERSITY STATUTES AND SENATE PROCEDURES

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David Dalpiaz
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Michael Grossman
Kyle Johnson
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EXCERPTS FROM SENATE MEETING MINUTES

November 14, 2022

SP.23.03, Committee of the Whole Discussion Regarding Potential Revisions to the Statutes, Article II (as initiated by USC ST-83)

SP Chair Gilmore gave an introductory summary of item SP.23.03 and discussion followed. Faculty senator Burbules (EDUC) added that he served as the Chair of the University Senate Conference (USC) Statutes and Governance Committee that drafted USC ST-83. USC was concerned that in the *Statutes*, non-tenure system faculty were not acknowledged as faculty. A second concern was the lack of clear definitions of various categories.

Senators expressed concern about the different level of rights for tenure system and non-tenure system faculty in unit governance. A more inclusive system was supported to allow a more equal level of rights for tenure and non-tenure system faculty. Concern was also expressed about postdoctoral research associates being included as non-tenure system faculty, and about the removal of academic freedom from “academic staff” if the term “academic staff” was struck from the *Statutes*.

December 5, 2022

SP.23.04, Committee of the Whole Discussion Regarding Potential Revisions to the Statutes, Article IX and X (as initiated by USC ST-83)

SP Chair Gilmore noted that this document would restructure Articles IX and X of the *Statutes* to better coordinate the material in these two sections. The proposed restructuring would group together employment matters more fully in Article IX, and tenure, sabbatical, and academic freedom matters in Article X.

SP.23.05, Committee of the Whole Discussion Regarding the Proposed Elimination of the Category of “Academic Staff” and Proposed Changes to Academic Freedom in the Statutes (as initiated by USC ST-83)

SP Chair Gilmore noted that one major change of this proposal would be to eliminate the category of academic staff. Gilmore read the definition of the broad category of academic staff in the current *Statutes* which is used numerous times. The term academic staff is used in the *Statutes* and beyond as a reference term for this block of individuals who perform academic work. Documents and information from offices handling such items as benefits, human resources, the Division of Information Management (DMI), Provost Communications, the Campus Administrative Manual (CAM) and a number of other documents use the term academic staff. Academic

Freedom in the current *Statutes* is laid out around the category of academic staff. The proposal would change the scope of who academic freedom applies to because academic staff and faculty are not coequal terms. Gilmore noted that feedback from the Senate Committee on Academic Freedom and Tenure (AF) is included at the end of the committee of the whole discussion document.

Senators expressed concern about the current and proposed language in the *Statutes* surrounding the term academic staff and the application of academic freedom. Gilmore indicated that additional feedback can be conveyed to SP via email to Gilmore or the Office of the Senate.

February 6, 2023

SP.23.05, Committee of the Whole Discussion Regarding the Proposed Elimination of the Category of “Academic Staff” and Proposed Changes to Academic Freedom in the *Statutes* (as initiated by USC ST-83)

SP Chair Gilmore gave a brief introduction stating that the term “academic staff” is used in different ways in different portions of the *Statutes*. Gilmore noted the following instances of the term “academic staff” in the *Statutes* (1) Article III, Section 3.d [The Dean], (2) Article VIII, Section 1.b [Changes in Academic Organization, Definitions], (3) Article IX, Section 3 [Appointments, Ranks, and Promotions of the Academic and Administrative Staff], and (4), Article IX, Section 4.a [Principles Governing Employment of Academic and Administrative Staffs].

Presiding Officer Friedman shared that SEC voted to increase the speaking time per speaker from three minutes to six minutes which will be strictly enforced.

The following summarized comments were shared.

- The term “academic staff” as it is currently used in the *Statutes* is vague and confusing. teaching assistants and research assistants currently fall under “academic staff”, yet they should not have academic freedom.
- There are AP employees that are researchers at the Prairie Research Institute that do have academic freedom, and this should be considered when making revisions.
- Academic freedom applies to all academic staff. The current “academic staff” is a large pool of individuals. The proposed revision changes the pool of individuals that would have academic freedom.
- Academic freedom should be connected to an activity and not to a position.
- Looking at activities of research and teaching, and the levels of supervision should be used to determine which persons should have academic freedom.
- The conceptual discussion about who should have academic freedom and who should not needs to occur before revising the language in the *Statutes*.
- Requested that SP thoroughly explore the suggestion that academic freedom should be connected to an activity and not to a position.

- Another aspect to consider surrounding academic freedom is the funding source for the salary that is being paid. Many postdoctoral researchers are hired for a specific project or grant. Removing the umbrella term “academic staff” may cause other issues.

Chair Gilmore thanked everyone for their comments and invited additional comments to be send via email.

March 6, 2023

SP.23.06, Potential Revisions to the *Statutes* that Impact Academic Professionals and Governance (as initiated by USC ST-83)

SP Chair Gilmore called attention to the SP.23.06 report that pertains to anything that impacts Academic Professionals. A letter from the Council of Academic Professionals (CAP) is included at the end of the report. The letter contains specific rejections to several items in ST-83.