

UNIVERSITY OF ILLINOIS
URBANA-CHAMPAIGN SENATEUniversity Statutes and Senate Procedures
(Final; Action)

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

BACKGROUND

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

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

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

UIS's *Senate Constitution* defines the Faculty Electorate as "all persons holding full-time faculty appointments who devote fifty percent or more of their time to instruction,

research, and/or public service” and excludes those with administrative titles of Dean or above (Article I.2). Academic Professionals serve in a separate electorate.

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

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

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

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

system faculty. Further, it would bring UIUC's *Senate Constitution* more in line with those at UIC and UIS.

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

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

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

RECOMMENDATION

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

1 *Senate Constitution*

2

3 **Article I – Basic Structure**

4

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

11

12 **Article II – Faculty Representation**

13

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

21

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

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

41
42 **Section 1.** The ~~Other Academic Staff~~ professional electorate is composed of those members of
43 the ~~Other Academic~~ professional ~~Staff~~ who are engaged in and responsible for the educational
44 function of the University; ordinarily this will involve teaching and research. Specifically, the
45 ~~Other Academic Staff~~ professional electorate shall consist of all persons of the campus non-
46 visiting academic staff who have a full-time appointment, are paid by the University, are not
47 candidates for a degree from this University, and who: [delete the colon and continue with text
48 of old subparagraph d below]

- 49
50 a. ~~Hold the academic rank or title of professor, associate professor, or assistant professor~~
51 ~~modified by the terms “research,” “adjunct,” or “clinical;” or~~
52
53 b. ~~Hold the academic rank or title of instructor or lecturer and are not included in the faculty~~
54 ~~electorate by designation of their voting unit; or~~
55
56 c. ~~Hold the unmodified academic rank or title of teaching associate, research associate, or~~
57 ~~clinical associate; or~~
58
59 d. ~~Are~~ members of the academic staff as defined in the University Statutes, Article II,
60 Section 5, and satisfy the teaching or research criteria established by the Senate
61 Committee on Elections and Credentials and approved by the Senate.
62

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

68 **Section 3.** Elections shall be held on the basis of seven voting units each with one seat. ~~One at~~
69 ~~large seat will be elected by those described in Article III section 1a, b, and c. Seven senators~~
70 ~~will be elected by those described in section 1d. Elections for this group shall be held on the~~

71 ~~basis of employment in an~~ These voting units are made up of academic units or the University of
72 Illinois Extension or the Prairie Research Institute for Natural Resource Sustainability. These
73 election units shall be as nearly equal in size as is practicable and shall be the same as the voting
74 units for the relevant Council of Academic Professionals election districts.

75
76

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

83

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

87

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

90

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

93

94 **Article VI – General Provisions**

95

96 **Section 11.** When the Senate selects members of a search committee, faculty senators shall
97 nominate and elect faculty members of the committee, ~~Other Academic Staff~~ professional
98 senators shall nominate and elect ~~Other Academic Staff~~ professional members of the
99 committee, and student senators shall nominate and elect student members of the committee in
100 separate votes.

101

102 **Bylaws**

103

104 **Part C - Elections**

105

106 1. Timing of Elections; Election Rules

107

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

114

114 2. Elections and Credentials Committee

115

116 b. ~~Other Academic Professional Staff: The Committee on University Statues and~~
117 ~~Senate Procedures shall act as the elections and credentials committee for the~~
118 ~~Other Academic Staff described in the Constitution, Article III, Section 1a, b,~~
~~and e.~~ The Council of Academic Professionals shall be the elections and

119 credentials committee for the ~~Other Academic Staff~~ professional electorate
120 described in the Constitution, Article III, Section 1d.

121
122 5. Nomination and Election of Senators from the ~~Other Academic Staff~~ Professional
123 Electorate

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

126
127 a. Any member of the ~~Other Academic Staff~~ professional electorate who desires
128 to run for election shall submit a statement to that effect and a short biography
129 to the elections and credentials committees.

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

134
135 7. Recall Elections

136
137 Petition: A recall election shall be held by a college or division or ~~Other Academic~~
138 ~~Staff~~ professional elections and credentials committee promptly upon receipt of an
139 appropriate petition.

140
141 c. ~~Other Academic Professional Staff~~: For recall of an ~~Other Academic Staff~~
142 professional senator, the petition shall bear valid signatures of at least one-third
143 of the members of the election unit or of at least one-half as many members of
144 the election unit as voted in the election in which the ~~Other Academic Staff~~
145 professional senator was last elected, whichever is smaller.

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