



Office of the Executive Vice President and
Vice President for Academic Affairs
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506 South Wright Street
Urbana, IL 61801

Barbara J. Wilson
Executive Vice President and Vice President for Academic Affairs

August 27, 2020

Magic Wade, Chair
University Senates Conference
378 Henry Administration Building
506 South Wright St., MC-348
Urbana, IL 61801

Dear Professor Wade and USC Colleagues:

In the fall of 2012, the Board of Trustees initiated a review of the University's governing documents in order to update the information and clean up language to reflect current practices. The process has been prolonged by a number of factors, including changes in key personnel during the past eight years (e.g., president, vice president for academic affairs), the complex process by which changes need to be vetted and discussed (i.e., all three university senates are involved as well as the University Senates Conference), and a few complex issues that required extensive discussion. In addition, in May 2016, the University of Illinois adopted the organizational structure and nomenclature of a "system" for the effective and efficient impact, operation, and administration of the institution. The changes in terminology required us to go back and revise a large number of sections even though they had been reviewed and approved earlier.

We are pleased that we have finally reached a point where we are ready to present proposed changes for both the *Statutes* and *The General Rules* to the Board of Trustees for approval at the September 10, 2020 meeting. I write now to update you on the recent steps we have taken to get to this point and on the process going forward.

In consultation with the Board Chair, President Killeen and University Counsel, and consistent with past practice, we determined that the Governance, Personnel and Ethics (GPE) Committee of the Board was the appropriate group to review and recommend the proposed changes to the full Board. Board Chair Don Edwards selected two members of GPE to preview all the changes carefully in advance of the September meeting to ensure they understood the rationale for the proposed changes as well as their consequences for our operations. Trustee Patricia Brown Holmes, because of her legal expertise and prior Board service, and Trustee and former Board Chair Ed McMillan, because of his long service and experience on the Board, were selected for this role. The Trustees were given the two documents (attached), which highlight in **red** all the proposed changes to the *Statutes* and *The General Rules* that the senates have advanced and that are supported by the president, the executive vice president (EVP), and University Counsel. The attached documents also contain a small number of **yellow** highlighted proposals that came from the senates and were not endorsed by President Killeen, the EVP, and

University Counsel. As required by Article XIII, Section 8b of the *University of Illinois Statutes*, the attached documents will be transmitted by the president to the Board of Trustees. As you can see, the vast majority of changes that the senates have worked so hard on for so many years will be recommended for approval by the Board. For the *Statutes*, they include the following:

- A new preamble that describes our updated organizational structure involving the system and its three distinct universities
- The adoption of the system/university nomenclature throughout the document
- An updated nondiscrimination statement that includes categories that are now protected by law such as sex, pregnancy, and genetic information
- Updates to the titles and roles of various system and university officials
- Updates to the description of the president's membership on the faculty and a new clause concerning USC's role in presidential reviews
- Updates to the role of the three senates in appointing and reviewing chancellors/vice presidents
- Updates to the organization and governance of the USC
- Inclusion of a statement that recognizes and encourages faculty members to review, analyze, critique, debate and discuss academic policy and governance
- Specifications for how to change the administration structure of a department (from head to chair or vice versa) and for how to review the performance of that administrative leader
- Additions to what constitutes immediate family for HR purposes
- Additions to what constitutes academic ranks among academic staff
- Clarifying that academic and administrative staff salaries are to be determined by the chancellor/vice president of each university and then reviewed by the Board of Trustees
- Updating that employees' outside activities that pose real or potential conflicts of interest or commitment are to be disclosed and reviewed by each university
- Clarifying that academic freedom includes the discussion and presentation of scholarly opinions and conclusions both inside and outside the classroom
- Providing more flexibility for the membership of the Campus Research Boards at each university
- Specifying that in addition to the three university senates and the Board, the president or the USC may initiate proposed amendments to the *Statutes*; the process for reviewing those proposals has not changed

For *The General Rules*, the changes include:

- A new preamble that describes our updated organizational structure involving the system and its three distinct universities
- A revised description of the organizational mission and goals of the system and universities
- The adoption of the system/university nomenclature throughout the documents
- An updated nondiscrimination statement that includes categories that are now protected by law such as sex, pregnancy, and genetic information
- Updates to the titles and roles of various system and university officials (e.g., vice presidents, chancellors/vice presidents)
- Elimination of \$1,000 limit on petty cash funds that require Board action
- Substantial changes to the sections on Intellectual Property, including: a broader definition of what constitutes said property; updates to current procedures and terminology; more explicit delineation of the role of the system-wide Intellectual Property Committee; and providing clarity about revenue distributions

- Updates to vacation pay, bereavement/funeral leave, parental leave, sick leave, and the definition of immediate family that are in accord with state employment law changes
- Updates to the definition of university-and system-related records
- An explicit mandate that the USC inform the university senates about any approved changes to *The General Rules*

A few items were proposed by the senates and were transmitted to the Trustees on GPE, but will not be recommended by the president for formal approval by the Board. These items were the focus of careful discussion among President Killeen, University Counsel, the two Board members of GPE, and me. They include the following:

- A few categories that were proposed for additions to the Nondiscrimination Statement will not be recommended for adoption because they go beyond both state and federal law and therefore would be very difficult to enforce legally (e.g., political affiliation, gender expression, family responsibilities); should these be added to state or federal laws in the future, we can make such changes
- The proposed change to delegate the Board's hiring authority for most of the academic staff will not be recommended for adoption. The Board relies substantially on the universities for their careful advice and extensive review of hiring and promotion cases, but the Board still has ultimate authority over all aspects of the U of I System. The current balance of localized decision-making and high-level oversight is deemed to be appropriate and well-functioning.
- Initially, we thought that a proposed change to the section on Academic Freedom that removed the clause "As a citizen ..." in Article X, Section 2(b) was appropriate because it would help protect international members of our community who may not have legal citizenship but who are indeed protected by U.S. constitutional amendments. However, removing this clause now creates confusion as to the type of speech at issue and also makes the section inconsistent with Article X, Section 2(c). Therefore, we have left this sentence as is and we pledge to work with the Senates during the next round of *Statutes* revisions to find alternative language that will serve multiple goals.
- The senates proposed to change the description of the secretary of the university in *The General Rules* [Article 1, Section 2 (b)] by clarifying the title as Secretary of the Board and removing the title from a list of system-level officers; however, the secretary has a dual reporting role to both the president and the Board and is still a system-level officer so we retained the original language.

One last change we have introduced, based on discussions with the three chancellors, is to remove the word "at" in the formal titles/names of the three universities. These university titles occur in the new preface and in one other place in *The General Rules* [Article VI, Section 3(d)]. All three chancellors agree that the term "at" is unnecessary, is particularly confusing for Chicago (which has campuses in other locations), and has in fact never been used consistently by UIS. So, going forward, for branding and naming purposes, our three universities wish to be named:

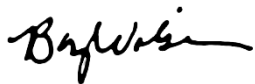
- University of Illinois Chicago
- University of Illinois Springfield
- University of Illinois Urbana-Champaign

Admittedly, we did not go through the normal process with this slight modification; if the senates wish to pull this back for some reason, we can do that.

I would like to take a moment to thank the three senates and the USC as well as many faculty members who have spent countless hours on this process over many years. Professors Nick Burbules, Joyce Toliver, Bill Maher, Shawn Gilmore, George Friedman, Jim Brennan, and Mark Steinberg deserve special recognition for their leadership and steadfast patience in getting us to this point. There are many others who also deserve credit.

President Killeen and I believe that the vigorous discussions we have had and the multiple rounds of revisions have made our governing documents stronger. We recognize that there are new proposals in various stages of deliberation, and we promise to work with you on moving those forward when they are ready, hopefully in a timelier fashion! Please know that we are very grateful for the healthy and dynamic shared governance processes we are so fortunate to have across the U of I System.

Sincerely,

A handwritten signature in black ink, appearing to read 'Barbara J. Wilson', with a stylized, cursive script.

Barbara J. Wilson
Executive Vice President and Vice President for Academic Affairs

Cc:

T. Killeen

T. Bearrows

G. Knott

S. Rice

M. Melendez

Attachments