

USC Response to University of Illinois-Urbana Advice on ST-83  
August 5, 2024

**We greatly appreciate the thought and time the University of Illinois-Urbana senate invested as it formulated its advice on the revisions proposed in ST-83.**

**The task of the USC is to “endeavor to promote agreement” across the feedback provided by all three senates (Statutes Article XII, Section 8).**

**The Urbana senate has chosen to reject *all* of the proposed revisions in ST-83 rather than to propose changes or amendments to any of them. Both of the other senates have transmitted suggested modifications designed to improve ST-83. Therefore, it is USC’s advice to the Board to not adopt the recommendation of the Urbana senate to reject every revision proposed in ST-83. Instead, the University Senates Conference is proposing multiple amendments to ST-83 in response to the suggestions and concerns of all three senates.**

**Although the Urbana response does not propose specific changes to ST-83, we will present here amendments that address as many of the concerns raised by the Urbana senate as we could, consistent with the broader purpose and intent of ST-83. In some cases, issues raised by Urbana fall outside the scope of a review and revision of ST-83.**

**Regarding this last category, we note that in providing their advice to proposed revisions to the Statutes, senates are directed “to concur, to modify, or to reject any proposed amendment or proposed statutory text” (Article XIII, Section 8). Advice regarding changes outside the scope of ST-83 would require action through the initiation of a separate, new proposal to revise the Statutes, to be considered on its merits and reviewed in accordance with the process stipulated in Article XIII.**

**You will find the University Senates Conference’s proposed amendments and comments in blue.**

**As we note in our cover letter, the final stage of the process is that “the [University Senates] conference shall send the advice of the senates and its own recommendations to the president for transmission to the Board of Trustees and shall simultaneously notify the senates of its action. A senate may record and send its further comments to the president for transmission to the Board of Trustees.”**

**We reproduce the Urbana senate's specific comments below, responding to them in the order in which they are presented:**

## **BACKGROUND**

In September 2021, the University Senates Conference (USC) transmitted to the three University Senates a large and complex package of proposed revisions to the University *Statutes* (ST-83), along with a transmittal letter and an explanatory document concerning the proposed reorganization of Articles IX and X of the *Statutes*.

- [ST-83 USC Transmittal Letter](#)
- [ST-83 \(Proposed amendments to the Statutes as of November 12, 2020\)](#)
- [ST-83 Article IX and X Reorganization](#)

In Fall 2021, after the Senate Executive Committee referred the package to the Senate Committee on University Statutes and Senate Procedures (SP), SP established a working group to review the major proposed changes to Article II of the *Statutes*. In November 2021, SP referred portions of the package 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, have revealed that ST-83 is deeply flawed and overly complex.

During the 2022-2023 academic year, SP identified four significant categories that needed the Senate's input, creating four prompts to present to the Senate for discussions in Committee of the Whole:

- [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 extensive discussions can be found in the minutes for each respective Senate meeting: [November 14](#), [December 5](#), [February 6](#), [March 6](#). Importantly, SP transmitted the recommendations of AF and CAP to the Senate for its consideration.

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** [emphasis added] 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** [emphasis added] and ask that future proposals are more balanced and inclusive of all stakeholders involved in the governance of the University.

Further, the Executive Director of Prairie Research Institute (PRI) submitted a response to SP.23.06 and spoke at the March 6, 2023 Senate meeting to matters affecting academic professionals, highlighting two key conclusions:

- The PRI joins with the CAP in requesting that the proposed revisions to the System Statutes impacting the academic freedom protections of non-faculty University employees be rejected [emphasis added] and that future proposals be more balanced and inclusive of all stakeholders involved in the governance of the University; and,
- The PRI asserts that academic freedom protections should be based NOT on employee status but on the type of scholarly and/or scientific work done by employees.

On April 24, 2023, the Senate approved a provisional response, including recommendations for future steps on ST-83 as [SP.22.01](#), which identified specific topics that the Senate might agree on and those that SP needed to work on.

Beyond conducting a series of Committee of the Whole discussions at the Senate meetings indicated above, SP has devoted much of its committee work for nearly three full academic years to studying the broad array of changes that ST-83 proposes. This work has included robust committee discussions on matters including the proposed definition(s) of “faculty” and governance rights; whether a binary distinction between “academic” and “administrative” appointments is possible; the impact on notice rights that might result from internal changes to Articles IX and X; the interrelation of the term “academic staff” to academic freedom and other staff protections; categories of employment such as post-doctoral research associates and fellows; the proposed addition of Civil Service terminology; and complications raised by changing existing appointment and employment terminology.

SP's Article II working group attempted to create a completely reconstructed version of the article and considered a unified and more inclusive definition of “academic staff” that could apply in the limited number of areas where retaining the term might be necessary (among the more than 50 passages in which the phrase currently appears throughout the *Statutes*). These efforts produced much documentation and some potential alternative language. Ultimately,

the issues were so extensive that any revised language would not fit within a conventional underline/strikethrough formatted document that SP would typically transmit to the Senate for less complex amendment proposals.

Realizing that the comments from the Committee of the Whole discussions and the detailed work of SP did not provide a clear path to the kinds of documents SP typically produces to help the Senate navigate difficult issues (e.g., ST-77 in 2014-19), SP returned to the September 2021 USC transmittal letter for guidance. After a careful review of the letter's "high points of the proposed changes," SP concluded that close examination of the text of ST-83 did not accomplish the outcomes posited by the transmittal letter.

Therefore, SP now returns to the Senate with a blanket recommendation. Based on the wealth of input and recommendations the committee has received and SP's own extensive examination, ***SP recommends the Senate fully reject ST-83 in its current form*** because it fundamentally does not achieve the goals stated as its purpose in the USC transmittal letter. Accordingly, SP has provided below a series of responses and rationales to the categories identified in the September 2021 USC transmittal letter accompanying ST-83.

In general, SP finds that some categories proposed for amendment in ST-83 may be worth pursuing as separate, distinct proposals: a clearer and more consistently used definition of "faculty"; a more specific description of the role of the senates; a reorganization of Articles IX and X; and so on. However, the revisions currently proposed in ST-83 are of such complexity and imply such wide-ranging consequences, both known and unknown, that SP believes these particular objectives cannot be accomplished in the form they were presented.

## **RECOMMENDATION**

The Senate Committee on University Statutes and Senate Procedures recommends rejection of the proposed revisions to the University *Statutes* known as ST-83. More specific recommendations follow, organized according to the broad categories of proposed changes outlined in the September 2021 USC transmittal letter. Those categories are:

1. Faculty and Staff Definitions
2. Academic Staff
3. Administrative and Academic Staff
4. Role of the Senate
5. Staff Categories
6. Visiting Definition
7. Article IX and X Reorganization

SP added a category for other changes that do not fit into any of the broad USC categories:

8. Other Changes

Each of the following categories begins with the relevant language (*in italics*) from the USC transmittal letter, describing the proposed changes, followed by SP's recommendations and rationales within these categories. Footnotes contain excerpts from ST-83.

## 1. Faculty and Staff Definitions

**USC Transmittal Letter Text:** *“A critically important proposed revision, new in Article 2, Section 1, clarifies the **definitions** [emphasis added] of faculty and staff positions, including placing non-tenure system colleagues into the definition of faculty for the first time. It also lays out the implications of this inclusion for governance and other issues.”*

**SP Recommendation:** *Reject* the textual changes to the definition of faculty but encourage placing non-tenure system members into the definition of faculty in the future.

**SP Rationale:** ST-83 does not provide clarity on the nature of faculty and staff positions. It does not provide an explicit definition of faculty, and its implied definition is internally inconsistent. Rather than truly creating inclusion of non-tenure system faculty in academic governance, it instead maintains the current two-tier structure whereby non-tenure system faculty are included in governance only if tenure system faculty grant such privileges.

**USC response:** **As stated in the September 2, 2021 cover letter accompanying the ST-83 proposal, a good deal of the proposed revisions are definitional. ST-83 follows the current Statutes in their definition of “faculty,” with the important revision of that definition to include non-tenure system faculty.**

**A proposal to eliminate all distinctions between tenure system and non-tenure system faculty (e.g., in governance roles, or in granting non-tenure system faculty sabbaticals) would fall beyond the scope of the revisions proposed in ST-83 and require a separate set of proposals to revise the Statutes. Specifically, the provision that it is the tenure system faculty who may choose to grant a governance role to others in their unit is not a new provision of ST-83: it is part of the current Statutes. Proposing the elimination of that provision or proposing that the Statutes guarantee non-tenure system faculty (or anyone else) an equal governance role at all institutional levels is beyond the scope of the revisions proposed in ST-83 and would require a proposal for a new separate Statutes revision. We take no position on that question here.**

When first introduced in ST-83, “faculty” implies both tenure system (Article II, Section 1.a<sup>1</sup>) and non-tenure system faculty (Article II, Section 1.d<sup>2</sup>).

Later, at the college level, “faculty” is defined to imply only tenure system faculty (Article III, Section 2.b<sup>3</sup> by reference to Article II, Section 4.a.1<sup>4</sup>). The college is governed by its (tenure system) faculty under bylaws established by its (tenure system) faculty, and rights may be

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<sup>1</sup> **Article II, Section 1.a** *Academic and administrative employees of the University of Illinois System can be divided into faculty and staff, which entails different roles, rights, and responsibilities. The tenure system faculty of the University of Illinois System consists of those members of any academic unit, except for the Graduate College, with the rank of professor, associate professor, or assistant professor who are tenured or on tenure-track (receiving probationary credit toward tenure), and those administrators in the direct line of responsibility for academic affairs (for example, persons who hold the title director or dean of an academic unit, provost or equivalent officer, chancellor/vice president and president).*

<sup>2</sup> **Article II, Section 1.d** *Non-tenure system faculty provide specialized contributions to teaching, research, clinical activities, or engagement. They include members of any academic unit who have the rank of professor, associate professor, or assistant professor modified by the terms “adjunct,” “clinical,” “research,” or “teaching”; or the rank of “instructor” or “lecturer” with or without modification.*

<sup>3</sup> **Article III, Section 2.b** *The faculty of a college shall be constituted as specified in Article II, Section 4a (1). The college shall be governed in its internal administration by its faculty under bylaws established by the faculty, as specified in Article II, Section 4b.*

<sup>4</sup> **Article II, Section 4.a.1** *Tenure system faculty (as defined by Article II, Section 1 (a)) have a primary role in governance. They also may grant additional governance privileges and rights to others.*

granted to non-tenure system faculty (Article II, Section 4.c<sup>5</sup>). SP infers that the intended reference should be Article II, Section 4.c, but ST-83 references Article II, Section 4.b<sup>6</sup>, which defines senate governance not unit governance.

Then, at the department level (Article IV, Section 1.a<sup>7</sup>), “faculty” are specified as tenure-system faculty (Article II, Section 1a) or non-tenure system faculty (Article II, Section 1.d). Thus, the college and department definitions of faculty would be inconsistent and would point to different sections of the *Statutes*.

Many of the rights and benefits afforded to the current tenure system faculty, such as voting rights and sabbaticals, have been written in ST-83 to apply only to tenure system faculty. Effectively, this section not only maintains the status-quo, but also creates additional irrevocable restrictions on non-tenure system faculty’s ability to be granted rights, particularly voting rights on matters of administrative organization and procedure of the unit. The proposed changes would allow non-tenure system faculty to be elected to the executive committees of departments with chairs, while simultaneously adding significant restrictions on their role in governance. This is particularly odd at the department level, where non-tenure system faculty are defined as faculty but are explicitly excluded from governance because of restrictions on establishing and amending bylaws (Article II, Section 4.c).

**USC response: The current statutes stipulate that tenure-system faculty may grant unit rights, including voting rights, to non-tenure-system faculty. The only restriction on governance rights reflected in the current statutes is that non-tenure-system faculty cannot vote on a proposal to grant themselves rights. The Senates on all three campuses have granted non-tenure system faculty a full governance role within the senates, and ST-83’s reference to “senate governance privileges and rights” reflects that practice:**

**“Article II, Section 3: A university’s senate constitution and bylaws may grant specified senate governance privileges and rights to non-tenure system faculty (as defined by Article II, Section 1 (d)), emeritus/emerita faculty, academic professionals, students, or others it deems eligible to participate, subject to the approval of the senate.”**

**It is important to distinguish between “university-level” (e.g. the senate) and “university-wide” (i.e. pertaining to all levels and units of the institution). The current Statutes (Article II, Section 4 (b) and (d) state that the internal governance structure of individual units is left to the unit to specify in its own bylaws.**

**A proposal to mandate that all units or departments must grant non-tenure system faculty (and/or others) a full governance role within the unit falls beyond the scope of the revisions proposed in ST-83 and would require a new proposed revision.**



USC is proposing that the following section of ST-83 be amended:

**Article III, Section 2.b** The faculty of a college shall be constituted as specified in Article II, Section 4a (1). The college shall be governed in its internal administration by its faculty under bylaws established by the faculty, as specified in Article II, Section 4b.

We will propose an amendment to ST-83 to add a reference to Article II, Section 4c to the end of the first sentence, so as to explicitly include non-tenure system faculty as well.

We will also propose a clarifying amendment to Section 4 by repositioning the sentence that refers to voting on Bylaws amendments. The limit on who votes on Bylaws changes pertains only to items pertaining to governance rights, not to all Bylaws changes:

e. Each college or other unit shall be governed in its internal administration by unit bylaws ~~established and amended by the tenure system faculty of that unit~~. The bylaws may grant specified unit governance privileges and rights to selected faculty of other units or faculty with joint appointments in that unit. The bylaws may also grant specified unit governance privileges and rights to non-tenure system faculty, emeritus/emerita faculty, academic professionals, or students. In granting specific governance privileges, such as voting privileges, to these participants the bylaws may require a minimum rank, seniority, or percent appointment in that unit. Voting on these provisions of the bylaws is limited to tenure system faculty (as defined by Article II, Section 1 (a)).

f. The bylaws shall also provide for the administrative organization and procedure of the unit, including the composition and tenure of executive or advisory committees, except that they may not conflict with these Statutes, or other specific actions of the Board of Trustees, or with the bylaws of a unit that encompasses it. ~~Voting on these provisions of the bylaws is limited to tenure system faculty (as defined by Article II, Section 1 (a)).~~

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<sup>5</sup> **Article II, Section 4.c** *Each college or other unit shall be governed in its internal administration by unit bylaws established and amended by the tenure system faculty of that unit. The bylaws may grant specified unit governance privileges and rights to selected faculty of other units or faculty with joint appointments in that unit. The bylaws may also grant specified unit governance privileges and rights to non-tenure system faculty, emeritus/emerita faculty, academic professionals, or students. In granting specific governance privileges, such as voting privileges, to these participants the bylaws may require a minimum rank, seniority, or percent appointment in that unit. The bylaws shall provide for the administrative organization and procedure of the unit, including the composition and tenure of executive or advisory committees, except that they may not conflict with these Statutes, or other*

*specific actions of the Board of Trustees, or with the bylaws of a unit that encompasses it. Voting on these provisions of the bylaws is limited to tenure system faculty (as defined by Article II, Section 1 (a)).*

<sup>6</sup> **Article II, Section 4.b** *A university's senate constitution and bylaws may grant specified university-level governance privileges and rights to non-tenure system faculty (as defined by Article II, Section 1 (d)), emeritus/emerita faculty, academic professionals, or students, subject to the approval of the Senate. The bylaws may mandate a minimum rank, seniority, or percent appointment for specified governance privileges. Any changes to a Senate constitution must be approved by the Board of Trustees (see Article II, Section 2).*

<sup>7</sup> **Article IV, Section 1.a** *Within the University of Illinois System, the department is the primary unit of education and administration. It is established for the purpose of carrying on programs of instruction, research, and public service in a particular field of knowledge. The faculty and staff of a department includes persons of all ranks or levels who upon the recommendation of its head or chair are appointed or assigned to it. The faculty of a department shall be as specified in Article II, Sections 1a and 1d of these Statutes. All appointments that carry academic rank or tenure indicative in any way of departmental association shall be made only with the concurrence of the department(s) concerned.*

## 2. Academic Staff

**USC Transmittal Letter Text:** *“These proposed changes remove the vague term “academic staff,” which is currently used inconsistently to refer to different groups of employees in different places in the Statutes (sometimes including faculty, for example, and sometimes not). The term “academic staff” is not a System HR category.”*

**SP Recommendation:** *Reject the removal of “academic staff” staff as a category.*

**SP Rationale:** The complete elimination of “academic staff” throughout the *Statutes* will have consequences for many current academic employees because that term is widely used in policy and procedural documents beyond the *Statutes*.

SP recommends retaining a definition of academic staff, even if used only in Articles IX and X, consistent with American Association of University Professors’ (AAUP) recommendation to provide a definition of academic staff in governing documents<sup>8</sup>. AF strongly recommended rejecting any changes to academic freedom, including removing the definition of academic staff.

Instead of an overall elimination of the term, a more strategic approach would be to revise the current definition of “academic staff,” removing whatever vagueness may exist and re-examining each use of the term in the *Statutes* to determine and resolve any remaining inconsistencies.

**USC response:** We note an acknowledgement by the Urbana Statutes committee that the term “academic staff” is ambiguous, without offering a proposal for alternative language. A great many of the revisions proposed in ST-83, including those to the section on academic freedom, fulfill the Committee’s recommendation to “remov[e] whatever vagueness may exist and re-examin[e] each use of the term in the Statutes to determine and resolve...inconsistencies.”

While the term “academic staff” is currently used in some university-level policy documents, that usage is not binding on the Statutes as the superseding governance document. Individual universities have some latitude regarding the language they use to codify their policies, as long as they do not conflict with provisions of the Statutes.

The System Human Resources policy statements do not use this category, and we see no instance in the Statutes where its use expresses an essential distinction – except in the section dedicated to academic freedom. There the lack of a clear definition is especially troubling, since clarity about who does (and does not) have academic freedom is a fundamental question for the university. In the end we decided that the use of “academic staff” in this section (and elsewhere) causes confusion and we adopted a different approach in

defining who has academic freedom (see below).

### 3. Administrative and Academic Staff

**USC Transmittal Letter Text:** *“The current Statutes separate “Administrative and Academic Staff.” The proposed revisions make clear that administrative and academic categories each include both faculty and staff. In general, “faculty and staff” becomes the more useful guiding distinction throughout the Statutes.”*

**SP Recommendation:** *Reject* the changes to administrative and academic staff.

**SP Rationale:** The proposed changes would be necessary only if there were changes related to “faculty” and “academic staff.” Rejection of the removal of the term “academic staff,” therefore, requires rejection of this proposed change.

**USC response: USC proposes amending sections in Article IX on administrative and academic staff in keeping with amendments that were proposed by the UIS and UIC senates. These include the elimination of the term “academic administrative leader.”**

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<sup>8</sup> American Association of University Professors. Policy Documents and Reports. Johns Hopkins University Press, 2015, p. 90: “Each institution should define with particularity who are members of the academic staff.”

## 4. Role of the Senate

**USC Transmittal Letter Text:** *“Article 2, Section 2, adds an important new proposed definition of the senate’s role: ‘The senate is the sole elected assembly jointly representing the faculty, students, academic professionals, and others it deems eligible to participate in shared governance discussions across the full range of university concerns.’ ”*

**SP Recommendation:** *Reject* the inclusion of this sentence.

**SP Rationale:** SP finds that the following statement from the proposed changes in ST-83 is not a definition, but rather an incorrect assertion.

*The senate is the sole elected assembly jointly representing the faculty, students, academic professionals, and others it deems eligible to participate in shared governance discussions across the full range of university concerns.*

It is unclear which characteristics (sole, elected, shared governance, or university concerns) are unique to the Senate.

**USC response:** In order to eliminate ambiguity, USC proposes the following amendment to this section:

**“The senate is the sole elected assembly that jointly represents jointly representing the faculty, students, academic professionals, and others it deems eligible to participate in shared governance discussions across the full range of university concerns.”**

## 5. Staff Categories

**USC Transmittal Letter Text:** *“Article 2, Section 6, adds new proposed definitions for the different categories of staff.”*

**SP Recommendation:** *Reject* the inclusion of the proposed Article II, Section 6.

**SP Rationale:** Adding a section on staff (Article II, Section 6) does not propose new definitions for different staff categories but adds new employment categories to the *Statutes* without providing a rationale or addressing possible implications.

**USC response:** ST-83’s new definition of Staff has been rewritten to align with existing Human Resources categories and policies and closely follows the advice of representatives of the office of system Human Resources:

**“Staff positions fall into two categories: those assigned as part of the State**

**Universities Civil Service System (SUCSS) classification plan (civil service) and those exempted from that classification plan. Those exempted include academic professionals and other positions related to teaching and research, such as postdoctoral research associates (see Article IX, Section 2 (g)(4)).”**

## **6. Visiting Definition**

**USC Transmittal Letter Text:** *“Article 2, Section 8, includes clearer proposed definitions of visiting faculty and staff.”*

**SP Recommendation:** *Reject the inclusion of the proposed Article II, Section 8.*

**SP Rationale:** Rejection of previous changes, each interlinked, makes inclusion of a section on visiting faculty and academic professionals (Article II, Section 8) either unnecessary or inconsistent.

**USC response:** **We have revised the language of this section in response to your comments and the advice of the other senates:**

**“The modifier “visiting” may be applied to faculty or staff positions in three ways: First, “visiting” can be used as a modifier for faculty as defined in Article II, Section 1 (a) or 1 (d) who are hired for a limited period of time for specified teaching or research activities. Second, “visiting” can also be used as an honorific for non-employees who spend a period of time in residence at the university without pay; for example, faculty from another institution spending a term in residence as part of a sabbatical. These visitors may be granted some privileges, such as office space and library access. Finally, “visiting” can be used as a modifier for academic professional positions as defined in Article II, Section 6 who are hired for a limited period of time for specified academic or administrative activities.**

**Units may grant limited governance roles to visiting faculty who are employees and visiting academic professionals, as in Article II, Section 4 (c).”**

## 7. Article IX and X Reorganization

**USC Transmittal Letter Text:** *“Articles IX and X were completely reorganized for greater consistency and clarity. There were some sections in one article that clearly belonged in the other, and vice versa. The content is mostly the same, simply reshuffled for better organization and topical coherence. Where changes were proposed, they are marked as such. (Attached is a marked-up pdf that shows the details of the reorganization.)”*

**SP Recommendation:** *Reject all changes to Articles IX and X.*

**SP Rationale:** ST-83 not only creates a reorganization that is difficult to review, but also makes significant changes to the substance of Articles IX and X, which govern matters such as appointment terms and tenure rights. Reorganization of Articles IX and X could be useful, but the proposed changes go far beyond a reorganization, especially in Article IX, including significant textual changes with far-reaching implications. For example, the changes in Article IX, Section 2.m remove language related to research professors, consequently removing their current notice of nonreappointment rights.

Furthermore, AF recommends rejecting all proposed changes in these sections because they may affect academic freedom. Understanding the effects of these changes is non-trivial and made more difficult by simultaneously proposing a reorganization and making significant changes in language.

**USC response:** **In keeping with advice from the UIS and UIC senates, and in consideration of the concerns expressed by the Urbana committee, USC proposes amending the ST-83 section on academic freedom. These proposed amendments follow guidance from the Prairie Research Institute to focus on the professional activities that are protected by academic freedom, rather than primarily on categories of employees:**

### **Section 6. Academic Freedom**

**a. It is the policy of the University of Illinois System to maintain and encourage full freedom within the law of inquiry, discourse, teaching, research, and publication and to protect all faculty and those academic professionals engaged in such activities as part of their university employment against influences, from within or without the University of Illinois System, that would restrict the individual’s exercise of these freedoms in the individual’s area of scholarly expertise. Academic freedom includes the right to discuss and present scholarly opinions and conclusions both in and outside the classroom. The right to the protection of the University of Illinois System shall not, however, include any right to the services of the University of Illinois System counsel or the counsel’s assistants in any governmental or judicial proceedings in which the**

academic freedom of the individual may be in issue.

b. Faculty and academic professionals who believe that they do not enjoy the academic freedom that it is the policy of the University of Illinois System to maintain and encourage shall be entitled to a hearing on written request before the Committee on Academic Freedom and Tenure of the appropriate university senate. Such hearing shall be conducted in accordance with the rules of procedure established by the Committee. The Committee shall make findings of facts and recommendations to the president and, at its discretion, may make an appropriate report to the senate. The several committees may from time to time establish their own rules of procedure.

c. As private citizens, individuals with academic freedom may also exercise the same freedoms as other private citizens without institutional censorship, discipline, or restraint. Such individuals should be mindful, however, that accuracy, forthrightness, and dignity befit association with the University of Illinois System and a person of learning and that the public may judge that person's profession and the System by the individual's conduct and utterances.

d. If, in the president's judgment, an individual with academic freedom exercises the right to freedom of expression as a private citizen and fails to heed the admonitions of Article X, Section 6c, the president may publicly disassociate the Board of Trustees and the University of Illinois System from and express their disapproval of such expressions.

We agree with you that Article IX, Section 2.l and 2.m need to be revised. We propose amending ST-83's Article IX, Section 2.m to replace the language that is shown as deleted in ST-83. Further, both need to be revised to incorporate the new cap of five years for potential reappointment approved by the Board of Trustees in July 2023:

“l. An appointment that includes in the title the term “adjunct,” “clinical,” “research,” “teaching,” or “visiting” modifying the term “professor,” “associate professor,” or “assistant professor,” as defined in Article II, Section 1d, or an appointment with the rank of lecturer or senior lecturer, or instructor, clinical instructor, or senior instructor, shall be for not longer than five years.

m. An appointment with the title of teaching associate, research associate, or clinical associate, or which includes in the title the term “research” modifying the term “professor”, “associate professor” or “assistant professor,” shall be for not longer than five years.”

## 8. Other Changes



**SP Recommendation:** *Reject* any and all other changes that do not fit into any of the broad USC categories above.

**SP Rationale:** There are many additional changes that are not covered by these broad categories. For example, Article II and Article IX in ST-83 place postdoctoral research associates into a staff category. This is a change from the current *Statutes* and is directly contradictory to *Provost’s Communication #25*, which includes postdoctoral research associates within specialized faculty.

**USC response:** After considering amendments to ST-83 proposed by the other senates, we consulted with System Human Resources representatives to clarify the status of postdocs on the UIC and the Urbana campuses. We found that, although some postdocs are classified as faculty in Urbana, this is not the case on the UIC campus. To capture this variation, USC is proposing the following amendments to Article II, Section 1:

**“e. Employees with the full title “clinical associate,” “research associate,” or “teaching associate” (without the title professor) may be classified as non-tenure system faculty, depending on university policies and practices. Each university within the University of Illinois System may classify this category of employee differently.**

**f. Postdoctoral research associates and postdoctoral fellows are individuals holding a doctoral or other terminal degree who are engaged in a temporary and defined period of mentored advanced training. Postdoctoral research associates may be eligible for university benefits and may be classified as non-tenure system faculty depending on university policies and practices (see Article II, Section 1 (e)). Postdoctoral fellows typically have a 0% appointment through the university and are not considered employees.”**

The proposed revisions in ST-83 represent a large and difficult set of changes to parse. SP recommends rejecting all other changes.

UNIVERSITY STATUTES AND SENATE PROCEDURES

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