



University Senates Conference
378 Henry Administration Building, MC 348
506 South Wright Street
Urbana, IL 61801

August 27, 2024

Professor Jon Hale, Chair
UIUC Senate Executive Committee
College of Education
1310 S 6th St, MC 708

Re: ST-83 Revision to the *Statutes*

Dear Professor Hale,

In fall of 2012, the Board of Trustees initiated a comprehensive review of the *University Statutes* to identify sections for potential revision and to draft proposed amendments to those sections. The ad hoc review committee created by the Board included representatives of the Board of Trustees Statutes and Governance Committee, Legal Counsel, Human Resources, and faculty. In 2013, a voluminous set of revisions was forwarded by that committee to the University Senates Conference (USC) for transmittal to the senates. Those proposed revisions were then divided into two groups.

The first group was a set of proposed revisions whose main focus was to formulate in the *Statutes* a newly clarified conception of the three universities within the University of Illinois System. This first set of proposed revisions (ST-77) was transmitted to the senates in November 2014. The advice of all three senates was received by May 2015.

According to the *Statutes*, it is the responsibility of University Senates Conference to “endeavor to promote agreement” among the three senates when their advice on revisions to the *Statutes* differs (Article XIII, section 8). In revising ST-77 to reflect the advice of the three senates, the USC worked closely with representatives of System Legal Counsel and the Office of the Executive Vice President of Academic Affairs. The University Senates Conference found this shared governance approach to be invaluable.

These final amendments to ST-77 were transmitted to the senates in December 2019. In accordance with the *Statutes* (Article XIII, section 8), each senate then had the right to send its further comments on the final version to the president for transmission to the Board. In November 2020, the Board approved the final version of ST-77.

The second set of revisions (ST-83) generally aims to update and clarify the *Statutes*’ language in other areas in order to reflect current policies and practices, especially in matters of university personnel and their respective rights and privileges. This set was forwarded to the senates in September 2021. All three senates have now transmitted their advice to the University Senates Conference. In drafting a final version of the proposed revisions to reflect the advice of the three senates, USC has followed the same process as it did for ST-77: close consultation with representatives of the Office of the Executive Vice President for Academic Affairs and Legal Counsel, this time also including representatives of System Human Resources.

The primary role of USC at this stage of the process has been to develop amended language that captures the senates' proposed modifications to the revisions contained in ST-83, always endeavoring to promote agreement when the senates have provided differing advice. It has been extremely helpful to draw on the expertise of our colleagues in the System leadership offices as we tried to reconcile differing—sometimes conflicting—advice from the three senates. The document we transmit here represents the combined efforts of the members of the University Senates Conference Statutes and Governance Committee, in close consultation with our University of Illinois System colleagues.

About the proposed final revisions:

As we have considered how best to respond to the senates' questions, concerns, and proposals for modifications to the final version of ST-83, whenever possible we have reflected the senate's proposed amendment as it was transmitted to USC, sometimes verbatim and sometimes with light copy-editing. In other cases, we responded to the senate with a clarification or explanation (for example, when a senate objected to the apparent deletion of a section that had been relocated rather than deleted). Finally, in some cases, as they formulated their advice on ST-83, some senates also included entirely new proposals for *Statutes* revisions that did not respond to any revision proposed in ST-83. In those cases, we suggested that the senate propose the new revisions separately from ST-83 so that they can receive full consideration on their own merits--and in fact one senate has already begun such a process.

Throughout the process, we have sought to produce a set of amended proposals that reflect the thoughtful advice of the senates and that are also consistent with other sections of the *Statutes*, with state and federal law, and with current human resources practices at the University of Illinois. At times, it was essential to gather information from our administrative colleagues in order to resolve conflicting advice from two senates.

The extensive nature of the revisions proposed in ST-83 required each senate to invest significant time and effort as it formulated its advice. We believe this time was well invested, particularly as it provided an opportunity for discussion of the principles and practices codified in the *Statutes*. As the *Statutes* themselves specify (Article XIII, Section 8.a), each senate has the right to propose new revisions to any section. It is our hope that each senate will continue its recent engagement with the formulation of System-wide policy and processes, in keeping with the nature of the *Statutes* as a living document.

A guide to understanding the attached document

Working from the copy of ST-83 that was forwarded to each senate in September 2021, we have inserted amended language, using the Microsoft Word "Track Changes" feature. We have highlighted in yellow each section where an amendment to the 2021 ST-83 is proposed. Please note that some portions of the 2021 ST-83 text have been moved in this amended version. At first glance, the text might seem to have been deleted, but the Track Changes note in the margin will indicate "moved up" or "moved down." Finally, for some sections that elicited extensive commentary from the senates, we have reproduced the original passage from 2021 ST-83 and juxtaposed it with its proposed amendment. We found it unwieldy and ultimately confusing to follow the process with each and every amendment offered here, but we considered it essential for some particularly significant passages.

In addition, we have annotated the feedback from your senate, showing where and how we addressed each of your recommendations.

Next steps

In accordance with the *Statutes* (Article XIII, section 8) and with the process followed for ST-77 (summarized above), USC is transmitting the attached document simultaneously to each senate, and to the president for transmission to the Board of Trustees. Each senate may record and send its further comments to the president for transmission to the Board.

In order to allow the President and the Board to act on ST-83 in a timely fashion, any further senate comments on the amended ST-83 should be transmitted to the president no later than December 16, 2024.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey Eric Jenkins', with a long horizontal flourish extending to the right.

Jeffrey Eric Jenkins, Chair
University Senates Conference

JEJ/dmp

cc: President Killeen
Executive Vice President Jones
Sarah Gantz, Office of the Executive Vice President
Jenny Roether, UIUC Senate
Kathy Fogerson, Office of the President
Sonja Bean, Office of the Executive Vice President
Members, University Senates Conference