UNIVERSITY OF ILLINOIS AT SPRINGFIELD
CAMPUS SENATE AY 2005/2006
RESOLUTION 35-3

Proposed Revisions to the Statutes,
Article XIII, Section 8.a

The Campus Senate of the University of Illinois at Springfield approves the proposed revisions to Article XIII, Section 8.a of the Statutes.
SP.01.04 Proposed Revisions to the Statutes, Article XIII, Section 8.a – General Provisions, Amendments

BACKGROUND

Of all the actions taken by the senates and the University Senates Conference (USC), those that will result in modification of the Statutes require the greatest care, because that document forms the foundation of our shared governance and protects the rights of faculty, staff and students within the academic community.

The current procedure for amending the Statutes is as follows. When one of the senates develops a proposal to amend the Statutes, the proposal is shared with the USC and with the other senates. If a proposal is approved by each of the senates, it is the duty of the USC to forward the proposal to the university president for presentation to the Board of Trustees. If the three senates have not agreed on common language, however, the USC attempts to resolve any differences in wording. This may entail substantive compromise to the texts as approved by the individual campus senates. There are currently various options for disposition of divergent documents approved by the three senates. These options were formalized as “Protocols for Relations of the Senates Conference to Campus Senates” (USC Protocols) in 2000. See appended text (USC OT-172).

While the formalization of procedures in the USC Protocols is helpful, we believe that the mechanisms governing USC disposition of statutory amendments proposed by the three senates should be included in the Statutes themselves rather than in an easily modified document that is internal to the USC. Moreover, the USC Protocols are complicated, with many exceptions and alternative approaches (some of which appear to conflict with the Statutes). Under the USC Protocols, the small group of faculty that make up the USC essentially have power to make decisions that should be within the province of the senates themselves, without any requirement of further consultation with member senates. In fact, the USC Protocols do not even ensure that the text of proposals as finalized by the USC will be shared with campus senates before transmittal to the university president.

Furthermore, the procedures in the Statutes themselves are less than satisfactory. When the three senates fail to agree on a proposal, the Statutes provide that each version of the proposal shall be forwarded to the university president for transmittal to the Board of Trustees, with comments from each senate and from the USC. The Statutes require the USC to forward a proposal to the President even when only one senate has approved it and the other two senates have rejected it.

The recent amendment to the Statutes to institute sanctions short of dismissal illustrates the deficiencies in the current system. Although each of the three senates approved
provisions that would have limited sanctions to deliberate actions having a clear connection to university activities, the USC developed a substitute text that did no include this protection. It is doubtful that any of the senates would have passed the original proposal without this protection. Moreover, we understand that the USC text was returned to the UIUC Senate agenda solely because of a question regarding the hearing provision and not for campus-level decisions on the question of deliberate actions. This process made clear that there is no assurance that any particular provision of a proposal approved by a campus senate will be included in the final text recommended to the university president and Board of Trustees by the USC.

We believe that the senates should exercise substantial control of the text of proposals that are brought through the USC to the university president and Board of Trustees. Ideally, the senates would speak in unison on these serious issues. At the least, proposals that have been developed by a single senate and rejected by the other two should not be permitted to go forward.

The changes recommended here adapt the current procedures to ensure a more unified senate voice. As under the USC Protocol, the USC will develop compromise language and attempt to achieve consensus among the senates. In contract with current practice, the USC’s text must be returned to the campus senates for ratification, and at least two senates must ratify the text before it may be transmitted by the USC to the university president and Board of Trustees.

**RECOMMENDATIONS**
The Senate Committee on University *Statutes* and Senate Procedures and the Senate Committee on Academic Freedom and Tenure recommend approval of the following revisions to the *Statutes*. Text to be deleted is in [square brackets] and text to be added is underscored.

**PROPOSED REVISIONS TO THE STATUTES, ARTICLE XIII, SECTION 8.a**

a. *Initiation by a Senate.* Each of the senates by vote of a majority of all members present and voting at a regular or special meeting may propose amendments to these *Statutes*. No final senate action shall be taken on a proposed amendment until the next meeting following the one at which it was introduced. The secretary of a senate shall notify the secretary of the other senates and the secretary of the University Senates Conference of the text of a proposed amendment promptly after the meeting at which it is introduced. The proposed amendment shall be referred to the University Senates Conference for its consideration and transmission to the other senates for action; the conference may append its comments and recommendations.
The proposed amendment shall be placed promptly on the agenda of the other senates. If every senate acts affirmatively on the proposed amendment and concurs as to its text, the conference shall send the proposed amendment to the president for transmission to the Board of Trustees and shall simultaneously notify the senates of its action; the conference may append its comments. If the senates do not agree as to the proposed amendment, the conference shall endeavor to promote agreement of the senates. Where agreement cannot be effected among all the senates within a reasonable period of time, but the text of a proposed amendment has been agreed upon by all but one of the senates, the conference shall send [the proposals of the senates] that proposed amendment, the recommendations of the dissenting senate, 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.

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