On July 18, 2002 the Board of Trustees of the University of Illinois approved an amendment to the Statutes, “Terms of Faculty Employment. The amendment calls for each campus to develop and adopt its own implementation procedures, following the stipulations in the statutory amendment. These stipulations are as follow:

Campus procedures shall include, at a minimum,

(1) A determination by the provost, in consultation with a committee identified by the senate, that cause exists to initiate proceedings that may result in the imposition of serious sanctions,

(2) Notice to the faculty member of the charges and initiation of the sanction proceedings,

(3) Opportunity for a hearing before an elected committee specified by the senate,

(4) Provision that a recommendation by the elected committee against sanction will be final,

(5) The opportunity for the faculty member to file an appeal with the chancellor within 20 days following the provost’s decision to impose sanctions,

(6) An appeal process encompassing both substantive and procedural objections, and

(7) A process wherein the chancellor’s decision on the merits of an appeal is final.

In developing the process specified by the statutes, two faculty groups must be identified to advise the provost, and a third may be identified:

(1) A committee identified by the senate will advise the provost that “cause exists to initiate proceedings;”

(2) An elected committee “specified by the senate” will provide for a hearing and will determine whether there is cause to impose sanction.

(3) Although not required by the statute, a committee to advise the chancellor in the event of appeal may be recommended.

After discussion in the Senate Executive Committee in spring 2003, the Committee voted to bring the issue before the Senate for advice. Open for discussion is the identification of the appropriate campus bodies to act as 1) the “intake” committee “identified by the senate” that determines if cause exists to proceed with hearings, 2) the elected committee identified by the senate that “hears” the case and decides whether sanctions may be imposed, and, possibly, 3) a committee or group that might provide advice on appeal. In the last of these, the statutes do not require the participation of an advisory body, only that there be an appeal process.

There are several options available in meeting requirements of the statutes, including reliance on existing committees. Appropriate existing senate and campus committees include

(1) Senate executive committee – a committee elected at the annual organizing meeting of the senate. The executive committee has broad campus representation as specified in the bylaws, such that membership is drawn from a large number of colleges. A nominating committee chaired by the vice-chair of the senate prepares a slate of nominees who must also be elected senators.
A factor to consider in utilizing the senate executive committee to fulfill one of these responsibilities is that it is a large committee meeting every two weeks. A subcommittee of the executive committee might more appropriately assume the responsibilities of one of the committees. The executive committee could serve as the intake committee, the hearing committee, or as a committee to hear appeals.

(2) Senate committee on academic freedom and tenure – a committee elected at the annual organizational meeting of the senate from a slate prepared by the nominating committee. The committee has statutory responsibilities in cases involving infringement of academic freedom (a faculty member may request a hearing from the committee when the faculty member has reason to believe his/her academic freedom has been infringed) and conducts hearings in dismissal of faculty for cause. The committee could serve as the intake committee, as the hearing committee, or as a committee to hear appeals.

(3) Faculty advisory committee – a faculty committee elected by the faculty at large. Candidates standing for election are nominated by petition; the election is conducted by the Senate Office. The committee has statutory responsibility “for the orderly voicing of suggestions for the good of the University, afford added recourse for the consideration of grievances, and furnish a channel for direct and concerted communication between the academic staff .... and the administrative officer of the University, its colleges, schools, institutes, divisions, and other administrative units on matters of interest or concern to the academic staff....”

The faculty advisory committee has often played a role in advising the chancellor on complaints and grievances and may, in situations leading to the decision to pursue sanctions, be involved in attempting to resolve disputes prior to the move to initiate sanction proceedings.

The faculty advisory committee could serve as the intake committee (the committee identified by the senate), as the hearing committee, or as a committee to hear appeals.

A fourth option is to create a specially-constituted committee to serve in any one of these roles. Depending on the assignment, such a committee might or might not be elected, but to serve as the intake committee it must be identified by the senate, and to serve as the hearing committee it must be an elected committee specified by the senate.