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# Technical Changes to the ISU Constitution

Academic Senate  
*Illinois State University*

Academic Senate

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ILLINOIS STATE UNIVERSITY  
FOUNDED IN 1857  
BLOOMINGTON-NORMAL 61761

PRESIDENT

July 16, 1973

Dr. James Hallam, Chairman  
Search Committee for a Fiscal Vice President  
Illinois State University

Dear Professor Hallam:

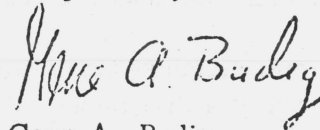
In view of recent developments I believe that it is unfair to ask the Search Committee for a Fiscal Vice President to continue. In my judgment the issue of the Presidency must be resolved before a fiscal officer can be hired. Few qualified candidates would consider the position not knowing to whom they might be accountable.

Therefore, I am discharging the committee with an expression of our deepest appreciation for its efforts. Please be assured that the many hours that you and your colleagues put into this effort will not be wasted. We ask that you prepare a final report which will be turned over to a subsequent committee at the appropriate time.

May I also take this opportunity to underscore the importance of identifying and retaining a first-class fiscal vice president as soon as possible. It is a critically important assignment within any institution of higher learning.

Again, please accept our deepest appreciation for your committee's outstanding service to Illinois State University.

Respectfully,



Gene A. Budig

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TECHNICAL CHANGES IN THE ISU CONSTITUTION  
AS RECOMMENDED BY THE COMMITTEE ON CONSTITUTIONAL AND GOVERNANCE REVIEW  
AND REVISED BY THE ACADEMIC SENATE\*

1. Article I, Section 1, Paragraph 2

Delete the last two sentences and substitute:

"While it cannot divest itself of ultimate responsibility and reserves to itself the power to act on its own initiative in all matters affecting the University, the Board will not act on any matter for which its governing policies call for participation of the University community without first obtaining its advice and recommendations. On Regency wide matters such advice shall be obtained through the Joint University Advisory Committee and the President. On matters directed specifically at this institution, such advice shall be obtained through a representative of the Academic Senate and the President. When acting on curriculum, subject matter and methods of instruction, instructional materials, and research, the Board will accept and ordinarily follow the advice of the Academic Senate as transmitted to it by the President."

2. Article I, Section 2

Delete the present first paragraph and substitute:

The University community shall include faculty and administrative employees, students, civil service, and other employees as herein defined. The academic community shall include students and faculty. The University shall maintain personnel files adequate to provide at any time an accurate listing of persons as defined.

Leave A as is.

Delete present B, C, and D and substitute:

B. Staff

Staff shall be divided into the following categories:

1. Faculty and Administrative Employees

a. Faculty Members

Any person appointed to a University position at the rank of professor, associate professor, assistant professor, instructor, and any other person whose appointment designates him as a faculty member, shall be defined as a faculty member.

\*The Constitution, to which these amendments are made, is printed in the University Handbook.

b. Administrative Employees

Any person with a University administrative and non-instructional position and who has been appointed to the position by the Board of Regents shall be defined as an administrative employee. Such persons may also hold faculty rank at the same time.

2. Civil Service Employees

Any person employed by the University in a classified Civil Service position shall be defined as a Civil Service staff member.

3. Other Employees

Any person, including students, employed by the University in a position other than one described above shall be considered as belonging to the classification of Other Employees.

3. Article II, Section 3 C

In the last sentence, delete the words "adopt legislation" and substitute "recommend policy" so that it reads:

The Academic Senate shall recommend policy concerning student permanent education records which shall specify the conditions of disclosure of information contained in these records.

4. Article II, Section 4 A, Second Sentence

Move to Article V, Section 1 E on functions of the Senate:

17. Participate in the formulation of policies governing the terms under which individuals and groups can use University facilities for out-of-class activities.

5. Article II, Section 4 D

Delete the words "adopt legislation" and substitute "recommend policy" so that it reads:

The Academic Senate shall recommend policy concerning the principles and procedures governing student publications and other communications media. Editorial freedom shall be guaranteed to all student publications and other communications media.

6. Article II, Section 6

Substitute:

Recognizing its obligations to formulate and communicate clearly and in advance standards of behavior which are considered essential to its educational mission and community life, the University shall publish a student code which shall be reviewed periodically by the Academic Senate and made available to all students.

7. Article III, Section 2

- A. No change needed since it simply calls for the terms of employment (whatever they may be) to be clearly stated in writing.
- B. Alter the first paragraph to read as follows:

All full time appointments for faculty holding academic rank shall be one of three types: 1) tenure appointments, 2) non-tenure appointments, or 3) temporary appointments. The continuation of all appointments shall be contingent upon the availability of appropriated funds.

- 1. Tenure appointments shall be for an indefinite term and may be terminated only by 1) retirement, 2) acceptance of resignation, 3) demonstrable financial exigencies, 4) discharge for cause, or 5) the reduction or elimination of a department or program. No appointment shall entail tenure unless the appointment explicitly so states.
- 2. Non-tenure appointments shall be for a specified term. They are renewable for a total of not more than seven years if the faculty member has served a probationary period of three years or less as a full-time member of the faculty of another institution of higher education, and are for a total of not more than four years if the faculty member has served a probationary period of four years or more as a full time member of the faculty of another institution of higher education. Time spent on leave of absence will not count as probationary period service, unless the individual faculty member and the University agree to the contrary at the time the leave is granted. Regardless of the stated term or other provisions of an appointment, non-tenure appointments shall guarantee the following dates of notification concerning the University's decision not to renew the appointment:

1) Not later than March 1 of the first academic year of service, if the appointment expires at the end of year, at least three months in advance of its termination; 2) not later than December 15 of the second year of academic service, if the appointment expires at the end of that year; or, if an initial two-year appointment terminates during the academic year, at least six months in advance of its termination; and 3) at least twelve months before the expiration of an appointment after two or more years in the institution. The period during which a faculty member is on non-tenure appointment shall be regarded as probationary; at any time during this period the University may offer tenure. Every appointment for a specific term must be accepted by the faculty member with the understanding that such an appointment entails no assurance or implication, except for the provisions for notification set forth above, that it will be renewed or that tenure will be granted.

3. Temporary appointments shall be for a specific purpose and for a term appropriate to that purpose. Notice of a decision not to reappoint is unnecessary for a faculty member on temporary appointment; the University, however, may offer to renew a temporary appointment for a period not to exceed seven years or to offer a non-tenure appointment to a faculty member on temporary appointment, and in such a circumstance service in a temporary appointment shall count toward tenure in the probationary period.

- D. Add the following as a new item:

The University shall notify tenure and non-tenure faculty members of their ratings and recommendations of the non-financial terms and conditions of their renewals by April 15. Notification of the financial terms shall be made as soon as possible after the University's budget has been approved by the appropriate state agencies.

8. Article III, Section 4 B 2

Substitute the following:

2. Where termination of appointment is based upon demonstrable financial exigency, or bona fide reduction or elimination of a program or department, Section 5 will not apply, but faculty members shall be able to have the issue reviewed by the Academic Senate, the President, or both. In all such cases the faculty member being displaced will be given notice as

soon as possible after the decision to reduce or eliminate has been made. Such notice shall be given to tenured faculty at least twelve months before the end of the academic year in which the faculty member is to be terminated. Notice for non-tenure appointments shall be given according to the dates established in Article III, Section 2 B 2. Before terminating an appointment because of the bona fide reduction or elimination of a program or department, the University will make every effort to place the affected faculty member in another suitable position or one in which he may become professionally qualified. If an appointment is terminated before the end of a period of appointment, because of demonstrable financial exigency, or because of the bona fide reduction or elimination of a program or department, the released faculty member's position will not be filled by a replacement within a period of two years, unless the replaced faculty member has been offered reappointment and a reasonable time within which to accept or decline it.

9. Article III, Section 5 A

Delete the present section and substitute:

The Academic Senate shall adopt legislation which shall provide for a Faculty Grievance Committee. This committee shall consider grievances which are not related to the Faculty Status Committee or the Academic Freedom and Tenure Committee. The Academic Senate shall provide for faculty grievance procedures which conform to nationally recognized standards.

10. Article III, Section 5 B

Delete the present section and substitute:

The Academic Senate shall adopt By-Laws which shall provide for an Academic Freedom and Tenure Committee constituted of faculty members with tenure and elected by the Academic Senate. The Academic Senate shall adopt a procedure for handling faculty Academic Freedom and Tenure cases, including dismissal cases, which guarantee academic due process and which conform to nationally recognized standards.

11. Article III, Section 6 C

Add the word "recommendations" in sentence two, and substitute the words "forwarded to" for "received by" so that the new section will read as follows:

C. Faculty Status Committee

The Academic Senate shall adopt legislation which shall provide for a Faculty Status Committee, consisting of faculty members. Detailed policy recommendations as to the handling of faculty appointments, promotion, salary, and tenure matters shall be approved by the Academic Senate. Specific appointment, promotion, salary, and tenure recommendations from the Faculty Status Committee shall be reviewed by the faculty members of the Academic Senate and forwarded to the president.

12. Article III, Section 6 E

Change to read:

E. Sabbatical Leave and Leave Policy

The bylaws of the Academic Senate shall provide for faculty participation in the formulation of policies on sabbatical and other forms of faculty leave.

13. Article IV, Section 1 A

Add the following statement as the second item in the list of presidential responsibilities and renumber items 2 through 9 as 3 through 10.

2. Implementation of protections afforded faculty and administrators, students, civil service and other employees in this constitution and provision of administrative structures to serve those needs.

14. Article IV, Section 2 B

Eliminate the last sentence and substitute:

The Academic Senate shall recommend procedures for the selection and appointment of administrators.

15. Article IV, Section 2 C, D, E

Eliminate all three sections completely.

16. Article IV, Section 3 A and B

Change all references to the word "staff" and "staff members" to "employees" and add to the end of the second sentence of A:

". . . or unavailability of appropriated funds."



This second sentence will, therefore, read as follows:

While administrative employees without faculty rank serve at the pleasure of the President, they are entitled to annual contracts which shall not be terminated during the term of the contract except by action of the Board of Regents and for reasons stated in writing involving inadequate performance of duty or unavailability of appropriated funds.

17. Article IV, Section 4 A

Change the title to academic dean. Eliminate the first sentence and substitute:

The academic dean, in consultation with the president and with the advice of the Academic Senate, is responsible for developing and maintaining a viable academic organizational structure including academic units (departments, colleges, or other such units) of instruction, research, or public service.

The rest stays as is:

He shall inform and seek the advice of the Academic Senate before effecting a reorganization or change in the academic organization of the University, including the establishment or abolition of any academic unit. Each academic unit of the University shall be entitled to exercise a degree of self government which does not infringe upon other academic units.

Add as the last sentence of Section 4 A, the following:

The governance process of each academic unit shall include provisions for faculty and student participation. Such governance units shall be established for the purpose of advising the unit administrator.

18. Article V, Section 3

The title of the section, Advisory Committee to Board of Regents, should be changed to read "Joint University Advisory Committee to the Board of Regents."

In the article itself, "Advisory Committee" should be changed to read "Joint University Advisory Committee to the Board of Regents."

GENERAL NOTE: Throughout the constitution, all references to "Dean of the Faculties" should be changed to "academic dean."

## PRESIDENTIAL SEARCH - ILLINOIS STATE UNIVERSITY

### I. GENERAL PROCEDURES - PRESIDENTIAL SEARCH COMMITTEE

The following general procedures do not include detailed step-by-step guidelines but, rather, provide an overall guide by which the PSC can operate.

1. University representation on the PSC shall be as follows: three teaching faculty, three students, two administration, one civil service, and one alumni.
2. The Chairman of the Board of Regents shall appoint three members to the PSC and shall appoint the chairperson for the PSC. The Executive Director shall serve ex officio on the PSC.
3. The PSC shall elect an Executive Secretary who shall, if an employee of the University, be provided sufficient time off from his or her normal duties for the Fall Semester of 1973 to devote the necessary time to the presidential search.
4. The Executive Secretary shall be responsible on behalf of the PSC to initiate correspondence, receive applications, respond to inquiries, preliminarily screen and evaluate credentials, and further act as the executive officer of the committee.
5. No candidate for President shall be disqualified solely on the basis of present position, sex, religious affiliation or race.
6. The PSC shall make all effort to insure that the President shall begin official duties in January 1974, or as soon as possible thereafter.
7. The Academic Senate and other appropriate University and community bodies shall have ample time to interview the final presidential candidates who are invited to the campus by the PSC.
8. An adequate budget shall be provided for the PSC to carry out its work, including visitation of the present employment sites of the final candidates by three members of the PSC.
9. The broad criteria as established by the Board of Regents for evaluating the presidential candidates shall be used as the initial means of selection and elimination.
10. All correspondence from candidates for the Presidency shall be sent to the Executive Secretary of the PSC. Copies of all materials shall be forwarded to the office of the Executive Director of the Board of Regents.
11. Final recommendations of the PSC shall be made to the Board of Regents in sufficient time to allow all the Board to make whatever review it deems necessary prior to taking action.

2. The administrative representatives of the PSC shall be selected according to the following guidelines:
  - a. Nominations of administrative representatives shall be by open nomination by administrative employees.
  - b. The Academic Senate shall elect two administrative employees from the nominations.
3. The selection of the student membership of the PSC shall be according to the following guidelines:
  - a. The Student Association Assembly shall nominate ten students.
  - b. Nominations of students may be made from the floor of the Academic Senate by student senators only.
  - c. The Academic Senate shall elect three students to the PSC.
4. The Executive Committee of the ISU Alumni Association Board of Directors shall select one alumnus(a) for the PSC and transmit the name of the alumnus(a) to the Academic Senate.
5. The Civil Service Council shall select one civil service staff for the PSC and transmit the civil service staff name to the Academic Senate.

## II. UNIVERSITY REPRESENTATION ON THE PSC

### A. Structure of the Presidential Search Committee (PSC).

1. The PSC shall consist of ten (10) members of the University community in addition to three members of the committee from the Board of Regents appointed by the Board.
2. The members of the University community shall be distributed on the PSC as follows:

- 3 Teaching faculty
- 3 Students
- 2 Administration
- 1 Civil Service
- 1 Alumni

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10 Total

3. The definitions of the five groups in item 2 shall be as follows:

Teaching faculty shall mean all those who hold full-time faculty rank in an academic department and who have administrative duties of less than half-time.

Students shall mean all those defined as full-time students in residence by current University policy.

Administration shall refer to all those who have administrative duties of half time or more and who hold faculty rank in an academic department. This term is meant to include department chairmen. Other administrative employees who do not qualify as faculty or civil service employees are also included.

Civil Service shall mean all those defined as full-time civil service employees by current University policy.

Alumni shall mean all those holding an earned degree awarded by the University.

### B. Selection of the Presidential Search Committee.

1. The selection of the faculty membership of the PSC shall be according to the following guidelines:
  - a. Each academic department may nominate no one, one, or two faculty.
  - b. Nominations of faculty may be made from the floor of the Academic Senate by faculty senators only.
  - c. The Academic Senate shall elect three faculty to the PSC from those nominated.
  - d. No college shall have more than one faculty member on the PSC.
  - e. No academic department shall have more than one faculty or administrator on the PSC.

### III. QUALIFICATIONS OF THE PRESIDENT

1. The President should have the earned doctorate or an equivalent educational background. Exceptional cases may be made for outstanding individuals who have proven themselves as outstanding administrators with appropriate experience.
2. The President should have had previous successful administrative experience.
3. The President should have demonstrated a competency to work with all segments of society.
4. No minimum or maximum age limitations shall solely disqualify a candidate. However, he should be energetic and in excellent health and be able to demonstrate intelligent, imaginative and mature judgment in matters pertaining to higher education.