



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

**HB4688**

by Rep. Naomi D. Jakobsson

#### SYNOPSIS AS INTRODUCED:

110 ILCS 310/1	from Ch. 144, par. 41
110 ILCS 310/3	from Ch. 144, par. 43
110 ILCS 310/9 new	

Amends the University of Illinois Trustees Act. Provides that the Board of Trustees of the University of Illinois shall consist of the Governor and at least 15 (rather than 12) trustees. Provides that 3 additional trustees shall be faculty members, of whom one faculty member shall be selected from each University campus. Specifies the length of a term for a trustee. Contains provisions concerning conflicts of interest of trustees. Contains provisions concerning the election of faculty trustees. Provides that no member of such board, except the faculty trustee, shall hold or be employed in or appointed to any office or place under the authority of the board of which he is a member, nor shall any member of said board be directly or indirectly interested in any contract to be made by said board for any purpose whatever. Creates the Trustees Selection Task Force (TRUST Force), which shall receive and review nominations for trustees for the Board of Trustees of the University of Illinois and make a recommendation to the Governor concerning a nominee within 30 days after the Governor makes the nomination. Specifies the (1) membership of, (2) terms of office for, and (3) disclosure of specified information concerning members of the TRUST Force. Effective immediately.

LRB096 15535 MJR 30765 b

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The University of Illinois Trustees Act is  
5 amended by changing Sections 1 and 3 and by adding Section 9 as  
6 follows:

7 (110 ILCS 310/1) (from Ch. 144, par. 41)

8 Sec. 1. The Board of Trustees of the University of Illinois  
9 shall consist of the Governor and at least 15 ~~12~~ trustees. Nine  
10 trustees shall be appointed by the Governor, by and with the  
11 advice and consent of the Senate. Three ~~The other~~ trustees  
12 shall be students, of whom one student shall be selected from  
13 each University campus. Three trustees shall be faculty  
14 members, of whom one faculty member shall be selected from each  
15 University campus.

16 Each student trustee shall serve a term of one year,  
17 beginning on July 1 or on the date of his or her selection,  
18 whichever is later, and expiring on the next succeeding June  
19 30.

20 Each trustee shall have all of the privileges of  
21 membership, except that only one student trustee shall have the  
22 right to cast a legally binding vote. The Governor shall  
23 designate which one of the student trustees shall possess, for

1 his or her entire term, the right to cast a legally binding  
2 vote. Each student trustee who does not possess the right to  
3 cast a legally binding vote shall have the right to cast an  
4 advisory vote and the right to make and second motions and to  
5 attend executive sessions.

6 Each trustee shall be governed by the same conflict of  
7 interest standards. Pursuant to those standards, it shall not  
8 be a conflict of interest for a student trustee to vote on  
9 matters pertaining to students generally, such as tuition and  
10 fees. However, it shall be a conflict of interest for a student  
11 trustee to vote on faculty member tenure or promotion. Student  
12 trustees shall be chosen by campus-wide student election, and  
13 the student trustee designated by the Governor to possess a  
14 legally binding vote shall be one of the students selected by  
15 this method. A student trustee who does not possess a legally  
16 binding vote on a measure at a meeting of the Board or any of  
17 its committees shall not be considered a trustee for the  
18 purpose of determining whether a quorum is present at the time  
19 that measure is voted upon. To be eligible for selection as a  
20 student trustee and to be eligible to remain as a voting or  
21 nonvoting student trustee, a student trustee must be a resident  
22 of this State, must have and maintain a grade point average  
23 that is equivalent to at least 2.5 on a 4.0 scale, and must be a  
24 full time student enrolled at all times during his or her term  
25 of office except for that part of the term which follows the  
26 completion of the last full regular semester of an academic

1 year and precedes the first full regular semester of the  
2 succeeding academic year at the University (sometimes commonly  
3 referred to as the summer session or summer school). If a  
4 voting or nonvoting student trustee fails to continue to meet  
5 or maintain the residency, minimum grade point average, or  
6 enrollment requirement established by this Section, his or her  
7 membership on the Board shall be deemed to have terminated by  
8 operation of law.

9 If a voting student trustee resigns or otherwise ceases to  
10 serve on the Board, the Governor shall, within 30 days,  
11 designate one of the remaining student trustees to possess the  
12 right to cast a legally binding vote for the remainder of his  
13 or her term. If a nonvoting student trustee resigns or  
14 otherwise ceases to serve on the Board, the chief executive of  
15 the student government from that campus shall, within 30 days,  
16 select a new nonvoting student trustee to serve for the  
17 remainder of the term.

18 Each faculty trustee shall serve a term of 2 years,  
19 beginning on July 1, or on the date of his or her selection,  
20 whichever is later, and expiring on the second succeeding June  
21 30th.

22 Faculty trustees shall be governed by the same conflict of  
23 interest standards as student trustees, except that a faculty  
24 trustee also may not vote on any proposal that directly would  
25 benefit or otherwise affect the trustee or the trustee's  
26 academic unit. The faculty trustee shall have an affirmative

1 duty fully to disclose to the Board all facts that may create  
2 an actual, apparent, or potential conflict of interest, or the  
3 reasonable appearance of an actual, apparent, or potential  
4 conflict of interest, and to recuse himself or herself in all  
5 such cases. Any unresolved question regarding a faculty  
6 trustee's actual, apparent, or potential conflict of interest  
7 shall be decided by vote of all disinterested trustees.

8 Faculty trustees shall be elected by the faculty of each  
9 University. The term faculty shall be as defined in applicable  
10 university regulations. Any faculty member with a rank of  
11 associate professor or above is eligible to apply for  
12 candidacy, provided that he or she will be in residence on  
13 campus for the full 2-year term, and employed on a full-time  
14 9-month or 12-month employment contract. The Senates of each  
15 respective university shall be responsible for soliciting  
16 candidates and conducting the election. All faculty trustees  
17 shall have the right to cast a legally binding vote.

18 No more than 5 of the 9 appointed trustees shall be  
19 affiliated with the same political party. Each trustee  
20 appointed by the Governor must be a resident of this State. A  
21 failure to meet or maintain this residency requirement  
22 constitutes a resignation from and creates a vacancy in the  
23 Board. The term of office of each appointed trustee shall be 6  
24 years from the third Monday in January of each odd numbered  
25 year. The regular terms of office of the appointed trustees  
26 shall be staggered so that 3 terms expire in each odd-numbered

1 year.

2 Vacancies for appointed trustees shall be filled for the  
3 unexpired term in the same manner as original appointments. If  
4 a vacancy in membership occurs at a time when the Senate is not  
5 in session, the Governor shall make temporary appointments  
6 until the next meeting of the Senate, when he shall appoint  
7 persons to fill such memberships for the remainder of their  
8 respective terms. If the Senate is not in session when  
9 appointments for a full term are made, appointments shall be  
10 made as in the case of vacancies.

11 No action of the board shall be invalidated by reason of  
12 any vacancies on the board, or by reason of any failure to  
13 select student or faculty trustees.

14 (Source: P.A. 91-778, eff. 1-1-01; 91-798, eff. 7-9-00; 92-16,  
15 eff. 6-28-01.)

16 (110 ILCS 310/3) (from Ch. 144, par. 43)

17 Sec. 3. No member of such board, except the faculty  
18 trustee, shall hold or be employed in or appointed to any  
19 office or place under the authority of the board of which he is  
20 a member, nor shall any member of said board be directly or  
21 indirectly interested in any contract to be made by said board  
22 for any purpose whatever. This section does not prohibit the  
23 student members of the board of trustees from maintaining  
24 normal and official status as enrolled students or normal  
25 student employment at the University of Illinois.

1 (Source: P.A. 78-822.)

2 (110 ILCS 310/9 new)

3 Sec. 9. Trustees Selection Task Force.

4 (a) There is established a Trustees Selection Task Force  
5 (TRUST Force), which shall receive and review nominations for  
6 trustees for the Board of Trustees of the University of  
7 Illinois and make a recommendation to the Governor concerning a  
8 nominee within 30 days after the Governor makes the nomination.

9 (b) Membership on the TRUST Force shall include all of the  
10 following:

11 (1) 3 members who shall be the chairpersons of the  
12 senates of the 3 campuses of the University of Illinois;

13 (2) 3 members who shall be acknowledged leaders in  
14 education from outside of the University of Illinois that  
15 are appointed by the Governor; and

16 (3) 4 members who shall be individuals with impeccable  
17 integrity that are appointed by the Governor.

18 (c) Members of the TRUST Force shall serve 4-year terms.

19 (d) The credentials of the members of the TRUST Force shall  
20 be made public to substantiate the experience required under  
21 this Section to serve as a member of the TRUST Force.

22 Section 99. Effective date. This Act takes effect upon  
23 becoming law.