

USC GUIDELINES ON TRANSPARENCY, CONFIDENTIALITY, AND THE CONDUCT OF BUSINESS

Preamble

The Conference is the primary faculty advisory group for the President and senior administrators. With this important role comes an obligation to maintain the strict confidentiality of all discussions held in executive session. In addition, members of the Conference regularly discuss issues with the President, senior administrators, members of the Board of Trustees, and other guests that, while not confidential enough to justify an executive session, are nevertheless sensitive. The sensitivity of these conversations lies both in the frank and candid style of communication and in the topics themselves. When considering whether to comment on such sensitive matters to anyone outside of the Conference, even in private, members should keep in mind the crucial importance of protecting the advisory role of the Conference and ask themselves whether that role might be threatened by their comments. One ill-considered comment or action on the part of an individual Conference member could damage the relationship of trust that exists among the members or between the Conference and other members of the University community. If in doubt, it is better to say too little than to say too much.

On the other hand, as elected representatives of the faculty, it is also part of our job to act as a liaison between the administration and the faculty. Where issues have cross-campus implications, it is the responsibility of the Conference to coordinate the work of the individual campus Senates and to develop consensus where possible among the Senates. In this legislative function, USC members should be dedicated to the interests of the entire university and of all its three campuses, even though they are elected only by the faculty of their respective campuses.

This document provides guidelines to USC members on how best to

- safeguard our dual role as trusted advisors of the president and other senior administrators, and elected representatives of our constituents;
- responsibly disseminate information about the Conference's activities; and
- transact Conference business in an orderly, collegial, and thoughtful way.

1. Executive Sessions

The Conference may vote to go into executive session to discuss a matter explicitly exempted from open meeting requirements by the Illinois Open Meetings Act (<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=84&ChapterID=2>). When doing so, the Open Meetings Act requires that the specific exemption being invoked be cited and an audio recording be made. Any matters discussed in executive session are strictly confidential and may not be discussed with anyone outside of the Conference. It is easier to maintain the confidentiality of executive sessions if Conference members do not take notes on these occasions.

2. Reporting to the Campus and University Communities

Actions of the Conference at business meetings are a matter of public record and are recorded in the Conference minutes. The approved minutes serve as the primary, authoritative source of information to the public about Conference activities. However, in fulfilling our role as liaison between our campus colleagues and members of the University Administration, members of the Conference can and should report on the Conference's activities. Reports may take the form of a

public written document included in a senate agenda packet, or may be limited to an oral report or comments. Conference members may also be asked by campus colleagues to respond to questions or to comment on some particular aspect of the Conference's activities. It is essential that all reports stringently respect the confidentiality of executive sessions, no matter whether the reports are formal or informal, written or oral.

In order to keep our campus colleagues informed of the activities of the Conference, it is recommended that each campus senate designate a particular Conference representative to serve as official liaison between the Conference and the campus senate. The campus senate USC Liaison should report regularly to the Senate on USC meetings, preferably through written reports.

When referring to the discussions of the Conference held in open session, USC members are urged to choose their words carefully. In general, reports should refer to general topics discussed, major arguments advanced, and specific Conference decisions and actions. Reports on the details of actual deliberations and attributed quotes to individuals may have a chilling effect on full and frank exchanges. Please honor members' reasonable requests to treat something as confidential and avoid identifying individual members with particular views. If in doubt about whether to include a particular detail in a summary or report, it is better to err on the side of caution. This is particularly important in the case of written reports, which are public documents. In composing such reports, it is a good idea to ask yourself whether the interests of the University are well served by what you are writing.

3. Confidentiality of Draft Documents

Draft documents are confidential and may not be distributed or shared beyond the Conference, nor may any specifics of draft language or potential conclusions be shared with others. Input may be sought from outside the Conference on general issues relating to the draft document, providing that the confidentiality of the draft document is maintained.

To provide adequate time for review and to enrich Conference discussions, ideally drafts should be forwarded to the Chair of Conference or to the USC Office for distribution at least one week in advance of formal consideration.

4. Conference Organization

The chair presides at meetings of the Conference and its Executive Committee. The chair is responsible for maintaining order so that the meeting agenda may be completed, and so that agenda items may be discussed thoroughly but efficiently. The chair recognizes those who wish to speak, and ensures that all members have the opportunity to participate in discussions.

The chair, or designee, is the official representative of the Conference and its spokesperson. As such, Conference deliberations and decisions are communicated officially to the President and the media by the chair or the chair's designee and not through other Conference members.

The Executive Committee facilitates the work of the Conference and works with the chair in developing agendas, invitations to guests and topics to be explored during meetings. Activities of the Committee should be transparent to all Conference members.

5. Collegial Conduct of Business

In general, when participating in Conference discussions, members are urged to place their concern for the well-being of the entire university and of each of the campuses above the defense of the interests of their respective campuses, or of any other constituency. Whether engaged in discussion with representatives of the administration or with other members of the Conference, all Conference members share the responsibility for developing a communicative climate grounded in mutual respect and trust. In order to allow for thoughtful and thorough exploration of issues, it is essential that each member help to cultivate an atmosphere that allows for the free and frank expression of views by all colleagues.

The agenda serves to inform members of the topics to be discussed and helps the Conference to transact business in an efficient manner. Agendas, drafts of reports, and proposals for action should be distributed to members a week in advance of meetings in order to ensure careful and thoughtful preparation and efficient Conference deliberations. Dealing with issues that emerge during a meeting may be required. When immediate action is not necessary, discussion and action may be deferred to a future meeting.

The size of the Conference means that rigid adherence to the specifics of parliamentary procedure is not normally required. However, certain standard motions are often useful in expediting business.

Subcommittees of the Conference should follow the same guidelines as the Conference generally, especially when they are meeting with the President, members of the President's cabinet, or other guests.

6. Dealing with the Press

You have no obligation to respond to press inquiries. Since it is the responsibility of the chair, or the chair's designee, to officially represent the Conference to the public, comments that are made to the press in the name of the Conference should be made by the chair or the chair's designee.

If, as an individual member of the Conference, you do decide to respond to a press inquiry about matters not discussed in executive session, try not to respond before you have had a chance to plan what you will say, and to jot down the talking points you intend to include. Choose your words very carefully. Ask yourself whether you and your colleagues would be happy seeing what you are saying in print.

If you are asked to respond to questions that border on sensitive matters, remember that it is always better to err by saying too little than too much. However, try not to say "no comment," which is often interpreted as an actual comment. Instead, you might refer the question to someone better equipped to respond, ask for time to gather more information, or simply say that you are not prepared to answer at the moment.

Any reference to discussions held in executive session should be limited to specifying the general topic justifying the invocation of executive session, such as "personnel matters" or "pending litigation."