University of Idaho
2014-2015 FACULTY SENATE AGENDA
Meeting #24
3:30 p.m. - Tuesday, March 31, 2015
Brink Hall Faculty-Staff Lounge

Order of Business

I. Call to Order.

II. Consent Agenda.

III. Minutes.
   • Minutes of the 2014-15 Faculty Senate Meeting #23, March 24, 2015 (vote)

IV. Chair’s Report.

V. Provost’s Report.

VI. Other Announcements and Communications.
   • Number of University Temporary Positions (Pendegraft/Mahoney)(FYI)
   • Temporary Lecturers (Jones)(FYI)

VII. Committee Reports.

   Committee on Committees (Crowley)
   • 2015-18 Committee Nominees (vote)
   • FS-15-056: FSH 1620 B-2 (vote)

   Faculty Affairs
   • FS-15-051: FSH 3710 – Leave Policies for All Employees (Funabiki/Crowley)(introduction)

   University Curriculum Committee
   • FS-15-049 (UCC-15-071): Graduate Student GPA Requirement for Graduation (McMurtry)(vote)

   Graduate Council
   • FS-15-040rev: FSH 1700 – College of Graduate Studies Bylaws (vote)

VIII. Special Orders.

IX. Unfinished Business and General Orders.

X. New Business.

XI. Adjournment.

Professor Marty Ytreberg, Chair 2014-2015, Faculty Senate
Attachments: Minutes of 2014-2015 FS Meeting #23
Number of Temporary Positions
Temporary lecturers – list of concerns
Committee Nominees
FS-15-040rev; 049; 051; 056
The Chair called the meeting to order at 3:32. A motion (K. Wolf/Chung) to approve the minutes of Senate meeting #22 (March 10th) was adopted without dissent (with 4 abstentions).

Chairs Report: Next week there will be a discussion of Adjunct Faculty and Temporary Lecturers at UI. In two weeks the ad hoc committee looking at enhancing benefits will bring some suggested changes to dependent tuition policy. The Chair inquired as to whether there were three faculty members from the Senate who would be willing to serve on the search committee for Vice President of Finance. The search should be completed by the end of the academic year. Since no Senators volunteered it was suggested that Senators send the Chair the names of any faculty who would be willing to serve.

The Chair reminded everyone next Tuesday (March 31st) is the deadline for completing the online training regarding sexual harassment. The training takes about 30 minutes and must be completed before one can qualify for a merit based increase. College Deans have a list of who hasn’t completed the training. Those who have should have received a certificate noting successful completion.

Provost Report: The Provost reiterated the Chair’s comments on the online sexual harassment training and encouraged all to complete the process within the next week. She emphasized the importance of the coming accreditation visit (April 20-23rd) and distributed new notepads which serve to remind all of the core themes. The notepads also contains the website for those wishing to read the self-study. She suggested that before the accreditation team arrives we might have a more specific discussion regarding the visit. The State Board will be here the week before the accreditation visit. With student and faculty awards coming out soon it is a busy time of the year but it is important that we join in celebrating the accomplishments of our students and colleagues.

Committee Reports: In his role as Chair of Ubuntu, Associate Dean (law school) Jeff Dodge was introduced to discuss the Ubuntu Report. He discussed the lead role that Ubuntu played in sponsoring the Martin Luther King Art and Essay contest. The MLK contest had a good response with entries from every college. The winners were announced last month and will be on the Ubuntu website this week. Ubuntu intends to continue this contest which encouraged people to think deeper about MLK’s role in our history and his vision for our society.

Professor Dodge also reported that Ubuntu had engaged in discussion with Human Resources with regards to benefits to same sex couples. Following the University’s provision of medical benefits for same-sex couples, Ubuntu was interested in learning whether same-sex couples now have access to all benefits available to opposite sex married couples. After inquiries to Human Resources Ubuntu was pleased to report that married same-sex couples now receive all the benefits that married opposite-sex couples enjoy. Ubuntu also inquired as to whether the procedures followed by HR treated same-sex couples in the same manner as opposite-sex couples in terms of providing documentation. They concluded that the procedures were consistent and not discriminatory.
Professor Dodge also reported that Ubuntu had looked into the availability of gender inclusive restrooms and campus lactation spaces at the University. The Ubuntu homepage will provide links to campus maps of these spaces. The committee will continue to promote the need for these spaces on campus. Ubuntu’s final project for the year has been an assessment with Disability Support Services of compliance with ADA guidelines particularly with regard to online courses and the increasingly use of technology in the classroom. Ubuntu has asked DSS to provide a list of the top five concerns so that they can work with them on finding desirable outcomes. This inquiry will probably lead to proposed changes to FSH 6400 and 6420 to better address faculty accommodation of students with disabilities and the increased use of online courses and technology.

Professor Dodge expects that this issue will be the focus of Ubuntu’s work for the rest of this year and into next year.

**FS-15-054—APM 70.23---University International Travel.** Chair Ytreberg introduced Jack McIver Vice President for Research and Economic Development to discuss a proposed new APM on University international travel. Dr. McIver explained the need to look at international travel to ensure the safety of faculty, staff, and students traveling internationally as well as the need to maintain compliance with federal law. For instance export control laws and trade sanctions may come into effect when there is a transfer of funds to restricted countries and there are certain types of equipment that cannot be exported without a license. Also, there is a need to identify appropriate educational opportunities for students.

The APM (70.23) under discussion requires international travel by faculty, staff, or students under the auspices of the University to be reviewed and approved according to the procedures outlined. (See APM 70.23-B). The policy requires that university international travel must be registered with the International Programs Office (IPO) not later than thirty (30) days prior to departure. This requirement raised some concerns among senators. One senator expressed a concern that this might make it difficult to go to some meetings that are called on short notice. He suggested that there might be more flexibility for people who travel to the same places (like Canada) on short notice. The Provost wondered whether there could be blanket approval for trips to certain places within a particular period of time. Other senators inquired as to whether things could be done to streamline the process. For instance, would it be possible to pre-authorize certain types of equipment (like computers)? Dr. McIver suggested that they would look at the process but it was difficult to make guarantees about equipment without knowing what types of export control issues are involved. He noted that if people are taking equipment that people might want to be in communication with his office well in advance of the thirty days. Other types of international travel, like taking students abroad, also require meeting deadlines well in advance of the proposed travel (see APM 70.23-B-c). Jill Kellogg-Serna from IPO urged that those planning on taking students to connect with the office well in advance of deadlines even if they only have tentative or preliminary plans.

A senator asked about graduate student travel and the benefits of registering with IPO. Ms. Kellogg-Serna pointed out that registering with her office might be necessary if the student is expecting to receive credit or financial aid. Even if that isn’t the case her office can help with insurance and with problems arise it is helpful for the University to know where people are.

To a suggestion for more flexibility regarding timelines for routine international travel, Dr. McIver noted that they would take this into consideration and look for ways to allow for more flexibility. However, he could make no guarantees given the many federal guidelines involved. They were trying to protect the individual as well as the University and some penalties are criminal.
### Summary of Temporary Faculty Appointments by College and Selected Departments

Data is based on appointments as either F4 (Fiscal Year Non-Benefit Faculty) or F9 (Academic Year Non-Benefit Faculty).

Population consists of all individuals with F4 or F9 appointment effective Fall 2014.

For this population, we are then reporting on active F4 or F9 appointments for each academic year term between Fall 2010 and Fall 2014.

College is based on the “Timesheet Organization” in Banner.

Of the Fall 2014 Temporary Faculty, the number who were active temporary faculty for the following number of terms between Fall 2010 and Fall 2014:

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* Other includes Provost, Academic Affairs, Idaho Falls and WWAMI Medical Program

Note: the two or more terms are not necessarily consecutive.
Temporary Lecturer Concerns

Ineligibility for many basic employee benefits regularly afforded to board appointed and other staff such as:

- health benefits
- sick leave
- retirement savings plan (cannot even set up a 100% employee funded plan)
- life insurance
- tuition reduction
- Gold Pass parking permit
- SRC membership

Exclusion from professional development opportunities and commendations such as:

- Leadership Academy
- Teaching awards
- Excellence in Research awards
- NEH grants like Public Scholar Program, seed grants etc.

Effectiveness is compromised and marginal status is reinforced by

- delayed contracts
- lack of communication regarding potential schedules
- sponsored email accounts requiring yearly renewal
- no access to offices and other facilities between semesters
- delayed access to bblearn and creation of course sites
- cannot order textbooks by bookstore deadline
- denial of incremental deductions from paycheck to pay for memberships, permits etc.
- reapply every two years

Quality of life is diminished by

- being effectively “fired” at the end of each semester
- missing paychecks and ineligible for 12-month pay schedule
- uncertainty of employment from semester to semester
- inability to qualify for loans
### Appointed by Committees

<table>
<thead>
<tr>
<th>Committee</th>
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<th>Department/Location</th>
<th>Extension</th>
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<td><strong>Academic Hearing Board</strong></td>
<td>Quinnett, Kelly</td>
<td>Theatre/3074</td>
<td>885-5017</td>
<td><a href="mailto:kellyq@uidaho.edu">kellyq@uidaho.edu</a></td>
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<tr>
<td></td>
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<tr>
<td><strong>Academic Petitions Committee</strong></td>
<td>Kitzrow, Martha A.</td>
<td>Coun. &amp; Test. Ctr./3140</td>
<td>885-6716</td>
<td><a href="mailto:mkitzrow@uidaho.edu">mkitzrow@uidaho.edu</a></td>
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<td>Saladin, Steve A.</td>
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<tr>
<td><strong>Administrative Hearing Board</strong></td>
<td>Warren, William</td>
<td>Extension District 1</td>
<td>208476443</td>
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<td>Marshall, Linnea D.</td>
<td>Library/2350</td>
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<td><strong>Americans with Disabilities Act Advisory Committee</strong></td>
<td>Mitchell, Gwen</td>
<td>CDHD/4061</td>
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<td>de Pedro, Jovanni-Rey</td>
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<td>Marshall, Anne L.</td>
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<td>Shafii, Bahman</td>
<td>Statistical Program/2337</td>
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# Appointed by Committees

## Faculty Appeals Hearing Board

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## Information Technology Committee

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## Intellectual Property Committee

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<td>Quinlan, Sean M.</td>
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<td>Raja, Krishnan S</td>
<td>Chem&amp;Mat.Engr/3024</td>
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<td>Coun. &amp; Test. Ctr./3140</td>
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## CoC Appointed by Faculty

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<td>Martin Insitute 3177</td>
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<td><strong>Warren, William</strong></td>
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<td>208476443</td>
<td><a href="mailto:williamw@uidaho.edu">williamw@uidaho.edu</a></td>
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<td><a href="mailto:dwoolley@uidaho.edu">dwoolley@uidaho.edu</a></td>
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<td>LHSOM 4015</td>
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<td>885-6908</td>
<td><a href="mailto:ytreberg@uidaho.edu">ytreberg@uidaho.edu</a></td>
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**POLICY COVER SHEET**  
*(See Faculty Staff Handbook 1460 for instructions.)*  

**Faculty/Staff Handbook [FSH]**  
□ Addition  □ Revision* □ Deletion* □ Emergency  
Minor Amendment □  

**Chapter & Title:**  
FSH 1620 University Level Committees  

All policies must be reviewed, approved and returned by a policy sponsor, with a cover sheet attached to apm@uidaho.edu or fsh@uidaho.edu respectively.

*Note: If revision/deletion request original document from apm@uidaho.edu or fsh@uidaho.edu, all changes must be made using “track changes.”

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<td><strong>Telephone &amp; Email:</strong></td>
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**Reviewed by General Counsel**  
__Yes __No  Name & Date: ______

I. **Policy/Procedure Statement:** Briefly explain the purpose of proposed addition, revision, and/or deletion to the Faculty/Staff Handbook or the Administrative Procedures Manual.

With major changes to committees and new committees being formed in the last few years, plus comments/concerns expressed regarding faculty’s inability to weigh in on some of the major committee changes, it is deemed best that any major changes go forward to the general faculty to ensure faculty governance.

II. **Reason/Rationale:** Reason this addition, revision, and/or deletion is necessary, if different than above?

III. **Fiscal Impact:** What fiscal impact, if any, will this addition, revision, or deletion have?

IV. **Related Policies/Procedures:** Describe other policies or procedures existing that are related or similar to this proposed change.

V. **Effective Date:** This policy shall be effective on July 1, or January 1, whichever arrives first after final approval (see FSH 1460 D) unless otherwise specified in the policy.

If not a minor amendment forward to: ___________________________________________  
Track # ________  
Date Rec.: ___________  
Posted: t-sheet ________  
h/e ________  
web ________  
Register: ________

Policy Coordinator  
Appr. & Date:  
_[Office Use Only]_

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Appr. __________  
FC __________  
GFM __________  
Pres./Prov. __________  
_[Office Use Only]_

APM  
F&A Appr.: ________  
_[Office Use Only]_
UNIVERSITY-LEVEL COMMITTEES

PREAMBLE: This section outlines the regulations governing university-level committees (Part B). It also includes a section on guidelines for committee chairs (Part C). In 2007 this section was substantially revised to reflect current process, in 2008 minor changes were made to B-2, 13 and C-13, and in 2010 Faculty Council was changed to Faculty Senate and B-7 was revised to address chair appointments. For further information, contact the Office of the Faculty Secretary (208-885-6151). [ed. 7-00, rev. 1-07, 7-08, 7-10]

CONTENTS:
A. Function, Structure, and Membership of Committees
B. Regulations Governing Committees
C. Guidelines for Committee Chairs

A. FUNCTION, STRUCTURE, AND MEMBERSHIP OF COMMITTEES. See 1640 for the function and structure of each university-level standing committee. The list of members appointed to serve on these committees is published on the Faculty Senate website at http://www.webs.uidaho.edu/facultycouncil/ under the UI Committees link after the beginning of the academic year by the Committee on Committees, and copies of the booklet can be downloaded and printed from the website. [rev. 1-07, ed. 7-10]

B. REGULATIONS GOVERNING COMMITTEES. The following is a codification of the general regulations governing committees:

B-1. As used here, “committee” is a general term denoting any standing or special committee, subcommittee, council, board, senate or similar body. [ed. 7-10]

B-2. The establishment, discontinuance, or restructuring of, and the assignment of responsibilities to, standing committees of the university faculty are policy actions that require approval by the Faculty Senate only. [rev. 1-07, 7-08, ed. 7-10]

B-3. Ad hoc committees to advise the president and university-level standing committees that are composed primarily of administrators (e.g., Publications Board) are appointed by the president.

B-4. The Committee on Committees appoints, subject to confirmation by the Faculty Senate, members of standing committees of the university faculty. The chair of Faculty Senate establishes special Faculty Senate committees and appoints their members. [ed. 7-10]

B-5. In selecting staff members to serve, the Committee on Committees seeks nominations from the Staff Affairs Committee, which considers expressions of interest by employees to serve on various committees and the qualifications of employees with reference to existing committee vacancies. Approved service by staff members on university committees is considered a valuable service to UI, within the scope and course of employment. Provided the staff employee can be released from regular duties, time spent in committee service is not charged against the employee’s annual leave or compensatory time balances, and the employee is not expected to make up time away from normal duties for committee service. (In cases where staff employees are elected to serve, e.g., on the Staff Affairs Committee itself, it is expected that the employee will first secure the consent of his or her supervisor before becoming a candidate.)
B-6. Ordinarily, no faculty committee will be chaired by an officer who is substantially responsible for implementing the policies or recommendations developed by the committee.

B-7. Unless otherwise noted within the structure of a committee in FSH 1640, chairs are selected by the Committee on Committees. The chairs of faculty standing committees generally are rotated so that no committee comes to be identified with one person. [rev. 7-10]

B-8. The president of the university, or the president’s designee, is a member ex officio of all UI committees, regardless of how the committees may have been established or appointed. On committees under the jurisdiction of the university faculty or of the Faculty Senate, the president or the president’s designee serves without vote. [ed. 7-10]

B-9. The chair of the Faculty Senate is a member ex officio without vote of all committees under the jurisdiction of the university faculty or of the Senate. [ed. 7-10]

B-10. Students are to be represented, if they so desire, on faculty committees that deal with matters affecting them. Except for student members of the Faculty Senate, the Committee on Committees receives nominations from the ASUI, GPSA and SBA to fill positions established for student members of faculty committees. [See 1640.] If, 21 days after the first day of classes of the fall semester, nominations have not been submitted to fill student positions, the committees on which the vacancies exist are authorized to disregard the vacant student positions in determining a quorum. [rev. 1-07, 1-14, 7-14, ed. 7-10]

B-11. The membership of individual members of standing committees of the university faculty may not be terminated involuntarily except for cause and with the concurrence of the Faculty Senate. [ed. 7-10]

B-12. UI committees meet on the call of the chair. Committees under the jurisdiction of the university faculty or any of its constituencies may be convened by at least 35 percent of the members of the committee with a three-day written notice to all members. [rev. 1-07],

B-13. A quorum for any committee under the jurisdiction of the university faculty or any of its constituencies consists of at least 50% of its voting members, unless otherwise stated in the committee structure. [add. 1-07, rev. 7-08]

B-14. Proxy votes are not permitted in committees under the jurisdiction of the university faculty or of the Faculty Senate. [ren. 1-07, ed. 7-10]

B-15. Unless otherwise provided, assignments to faculty committees begin on the official opening date of the academic year, whichever is earlier. [ren. and rev. 1-07]

B-16. Open Committee Meetings. [ren. 1-07]

a. Meetings of university-level committees, committees of the colleges, divisions, subdivisions, and other UI units, and ad hoc committees, however created, are open to the public with the exception of those meetings, or those parts of meetings, that deal with confidential employee or student matters, [see B-16-d]. [ed. 7-00, rev. 1-07]

b. Observers may speak only by invitation of the chair.
c. Observers may use their own tape recorders or other recording devices. Also, they will be provided a copy of any recordings made by the committee, if they request a copy through regular channels and pay the full costs involved in making the copy.

d. An exception to the exception stated in B-16-a is permitted in hearings on appeals when the appellant demands in writing before the hearing board’s first meeting that the hearing be open to the public; nevertheless, the chair of the hearing board has the power to close the hearing to the public if, in the chair’s opinion, the atmosphere becomes detrimental to the orderly conduct of the proceeding. Moreover, the chair has the power to exclude prospective witnesses from the hearing until they have testified. [ed. 1-07]

B-17. Standing committees are to keep minutes and to distribute them as provided in C-7. [ren. 1-07]

B-18. Smoking is prohibited in official meetings and hearings of UI committees. [ren. 1-07]

B-19. Rules of Order. [See 1520 VI.] [ren. 1-07]

C. GUIDELINES FOR COMMITTEE CHAIRS. These guidelines were developed by the Committee on Committees as suggestions for the effective handling of committee business and clarification of certain minimal requirements of these committees. The Committee on Committees recognized that not all items will apply equally to all committees and that some items will not be appropriate to some committees.

C-1. At the beginning of each semester, contact committee members about times they would be available for a set meeting (for committees that do not have set meeting times already established) so that the times that the committee members will be available to meet can be ascertained. [rev. 1-07]

C-2. Hold an organizational meeting as early as possible in September to discuss and review the charge of the committee (see FSH 1640), its procedures, and possible agenda items, and if desirable select a secretary. [rev. 1-07]

C-3. Establish the best means of getting in touch with each student member.

C-4. Issue a standing invitation to members to submit appropriate agenda items. Call a meeting when enough agenda items have accumulated to warrant it or when a particular agenda item warrants immediate attention. Alternatively, contact committee members periodically to ask if there are problems that need to be considered. [rev. 1-07]

C-5. Send an agenda with the call of a meeting to all members and post it to the committee’s web page at http://www.webs.uidaho.edu/facultycouncil/committees.htm. [rev. 1-07]

C-6. Read the minutes of each meeting carefully to make certain that the intent of the committee is accurately represented.

C-7. Post approved minutes of each meeting of the committee on the committee’s webpage at http://www.webs.uidaho.edu/facultycouncil/committees.htm and send copies to members of the committee. Committees that address matters with confidential employee or student matters, shall keep such minutes confidential. All materials for these committees will be forwarded to the Office of the Faculty Secretary for filing and archiving. Also, inform other officers who are directly concerned with the work of the committee. To assist with record keeping, number meetings of the committee consecutively; e.g.,
“minutes#1_mmddyy.” [rev. 1-07]

**C-8.** Hold hearings when substantive policy changes are proposed. When feasible, invite those who will be affected by the committee’s action to present their views to the committee. [ren. 1-07]

**C-9.** Inform those who are affected by the committee’s actions of such actions. [ren. 1-07]

**C-10.** Promptly submit reports of actions requiring approval by the Faculty Senate in care of the Office of the Faculty Secretary for placement on the Faculty Senate agenda. Be prepared to attend the Faculty Senate meeting to answer any questions that arise. [ren. & rev. 1-07, ed. 7-10]

**C-11.** Inform the Office of the Faculty Secretary of any resignations from the committee and any excessive absences. Excessive absences will be referred to Committee on Committees to determine whether cause exists to replace the member. [ren. & rev. 1-07]

**C-12.** Prepare a brief year-end report for submission to the Faculty Senate in care of the Office of the Faculty Secretary for distribution. [ren. & rev. 1-07, ed. 7-10]

**C-13.** Prepare a transition file for next year’s chair highlighting past issues (year-end report could be used), issues that are in progress, or issues that still need to be addressed. Plan to attend one or two meetings of the new committee to ease transitioning. [ren. & rev. 1-07, rev. 7-08]

**C-14.** Call on the Office of the Faculty Secretary for information and assistance concerning points not fully covered in these guidelines. [ren. 1-07]
### POLICY COVER SHEET

(See Faculty Staff Handbook 1460 for instructions at UI policy website: [www.webs.uidaho.edu/uipolicy](http://www.webs.uidaho.edu/uipolicy)

### Faculty/Staff Handbook [FSH]
- □ Addition X Revision* □ Deletion* □ Emergency
- □ Minor Amendment

**Chapter & Title:** Leave Policies for All Employees 3710

All policies must be reviewed, approved and returned by a policy sponsor, with a cover sheet attached to apm@uidaho.edu or fsh@uidaho.edu respectively.

*Note: If revision/deletion request original document from apm@uidaho.edu or fsh@uidaho.edu, all changes must be made using “track changes.”

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### I. Policy/Procedure Statement:
Briefly explain the purpose/reason of proposed addition, revision, and/or deletion to the Faculty/Staff Handbook or the Administrative Procedures Manual.

When Faculty Affairs Committee members reviewed proposed changes to FSH 3710 sent from Human Resources, the members decided to focus first on leave associated with childbirth/adoption/foster care placement. In collaboration with the Faculty Secretary’s Office, the changes to 3710 gathers “parenthood” policies in one place for the sake of clarity and convenience. As a part of the review, FAC members also deleted portions of the FSH that pre-dated the federal Family Medical Leave Act and FSH policies that were duplicated elsewhere.

### II. Fiscal Impact:
What fiscal impact, if any, will this addition, revision, or deletion have?

Some fiscal impact to units may be seen due to the extended weeks suggested for job protected leave from 12 to 16 weeks.

### III. Related Policies/Procedures:
Describe other policies or procedures existing that are related or similar to this proposed change.

APM 55.07 and 55.09 – to be reviewed by Faculty Secretary Office.

### IV. Effective Date:
This policy shall be effective on July 1, or January 1, whichever arrives first after final approval (see FSH 1460 D) unless otherwise specified in the policy.

If not a minor amendment forward to: ________________________________

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LEAVE POLICIES FOR ALL EMPLOYEES

PREAMBLE: This section describes the various kinds of leaves that are available for all UI employees. (See section 3720 for Sabbatical Leaves limited to faculty members.) This section and the following one were original parts of the 1979 Handbook. The most substantive changes since that time have been the addition (under Governor Andrus) and subsequent deletion (under Governor Batt) of service leave for children at school and changes to subsection L that reflect changes in federal regulations. In 2002 extensive changes were made to subsection K that reflected Regent policy and current practice. In 2008 extensive changes to this policy were approved following many years of committee work involving Faculty and Staff Affairs, General Counsel, and Human Resources and a new section M was added on servicemember family leave due to a federal law change. In July 2010 a section R was added to address the Fiscal Year 2010 Furlough and in July 2011 section R was removed and a new policy, FSH 3450, was created to address employment actions such as temporary furloughs. Unless explicitly noted, the text is as of July 1996. Further information is available from Human Resources (208-885-3609). [ed. 7-97, 7-05, rev. 7-98, 7-02, 2-08, 7-10, 7-11]

CONTENTS:

A. General
B. Annual Leave
C. Sick Leave
D. Holidays
E. Parenting Leave
F. Military Leave
G. Leave for Court Required Service and Voting
H. Leave for Campaigning for or Service in Public Office
I. Administrative Leave
J. Academic Transitional Leave
K. Terminal Leave
L. Shared Leave
ML. Family Medical Leave
MN. Servicemember Family and Medical Leave [add. 2-08]
NO. Personal Leave
OP. Extended Family Medical Leave
PQ. Leave for Professional Improvement
QR. Exceptions

A. GENERAL.

A-1. The university (hereinafter referred to as university) strives to offer leave programs that are both comprehensive and flexible to meet employee needs. Leave with or without pay is extended to employees under a variety of circumstances described below. Exceptions may be granted in special circumstances [QR; APM 55.09, 55.07, 55.38; FSH 3120, 3720 and 6230] [ed. 2-08, 7-10]

A-2. The term “leave” refers to an employee’s absence from duty. Each leave type as contained in this policy discusses circumstances in which such an absence may be continued with pay when leave accruals are available or when leave is approved without pay. Certain types of leave may require or provide options to take one leave concurrent with another. For example, sick and annual leave may be taken or may be required to be taken concurrently with other types of leave. All leaves are subject to approval.

A-3. Unless otherwise noted, for purposes of this policy, “immediate family member” includes: your spouse, your child, parent, brother, sister, grandparent, and these same relationships of a spouse, by marriage, adoption, or foster arrangement. An immediate family member may also include an individual who has assumed a similar relationship to those above, other than the relationship of spouse*, and for whom the employee or the individual has had financial responsibility for the other. An immediate family member also may include any individual who is a qualified *

Commented [TA1]:

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dependent under IRS regulations. The university reserves the right to request documentation establishing financial responsibility or qualifying status as an IRS dependent.

*Due to the 2006 “marriage amendment” to the Idaho Constitution the university, despite the wishes of the Faculty Senate, is unable to include domestic partnerships. [ed. 1-10]

A-4. Separation from employment or the term terminating employee refers to an employee’s separation from all employment.

A-5. A break in State of Idaho service is defined as job termination that is separated by at least three (3) business days prior to re-employment with the university or any other State of Idaho employer.

A-6. Full and part-time employees are eligible for some or all leaves discussed in this policy.

a. Benefit-eligible employees are those who hold a board-appointed position [FSH 3080] and are employed at least half time or greater.

b. Individuals who are employed at least half time or greater as temporary help (TH) and who are expected to complete five (5) months or more of continuous university service and are eligible to participate in the Public Employers Retirement Plan for Idaho (PERSI) are eligible for limited benefits, including annual leave, sick leave and pay for holidays on which they do not work [FSH 3090].

A-7. Leave may not be taken in advance of accrual and may not be taken in excess of 80 hours in a pay period.

A-8. Leave may not be taken on an employee’s first day of employment. If an employee is unable to report for work on their specified first day of employment; employment will not begin until the first day that the employee reports for active duty.

A-9. All employees, including faculty and exempt employees, are responsible for recording all leave taken on bi-weekly time reports and complying with the terms of leave policies, including, but not limited to:

a. completing application for leave and providing medical evidence and other requested information;

b. abiding by any and all return-to-work restrictions; and

c. returning to work following expiration of approved leave.

Failure to uphold these responsibilities may result in absence without approved leave. Eligibility to preserve employment may be affected and/or the employee may be subject to disciplinary action, up to and including termination from employment as provided in appropriate university policies [FSH 3910, 3920 and 3930].

A-10. Employees who are exempt from overtime accrual or payments may be absent from work for approved periods of less than ½ work day without charge to sick or annual leave. Sick, annual or other paid time off must be charged in ½-day increments when ½ day of work or more is not performed, except when alternative work has been performed in conjunction with an approved flexible schedule.

Employees who are not exempt from earning overtime accrual or payments shall record all approved absences in 1/4-hour increments, except when time loss has been made up through an approved flexible schedule.

A-11. Absent written agreement to the contrary, an eligible employee typically earns credit toward retirement plan vesting (see your PERSI, IROP or federal retirement plan document for details) and earns annual and sick leave accruals during the portion of any leave that is paid, except that sick and annual leave do not accrue during terminal leave [J], or in some circumstances during administrative leave [H-5]. An employee typically will not be given such credit for any periods of unpaid leave.
A-12. No break in service will occur during any approved paid or unpaid leave for the purposes of determining eligibility for retiree health benefits.

A-13. Departmental administrators are responsible for approving and ensuring the reporting of leave, via Banner, taken by the employees in their respective units. For procedures regarding reporting and monitoring leave see APM 55.08. The Banner system and Human Resources records are the official university leave records. [ed. 7-10]

A-14. Human Resources is responsible for coordinating requests and reviewing compliance with all types of leave other than sick, annual and medical appointment leave discussed in this section. [APM 55.09] [ed. 7-10]

B. ANNUAL LEAVE.

B-1. Employees receive annual leave based on their classification of employment. [FSH 3080]
   a. Classified Employees on full-time fiscal-year appointments accrue annual leave based on hours worked at the rate of approximately 3.7 hours bi-weekly for the first five full years of service, with a maximum accumulation of 192 hours; 4.6 hours bi-weekly up to 10 years of service, with a maximum accumulation of 240 hours; 5.5 hours bi-weekly up to 15 years of service with a maximum accumulation of 288 hours; and 6.5 hours bi-weekly for more than 15 years of service with a maximum accumulation of 336 hours. [RGPP II.E3; FSH 3080; APM 55.08 and 55.09] [ed. 7-10]
   b. Faculty on full-time fiscal-year appointments and exempt employees, including postdoctoral fellows, accrue annual leave at the rate of 7.4 hours bi-weekly and may accumulate a maximum of 240 hours. [RGPP II.F.3, FSH 3080, APM 55.09] [ed. 7-10]
   c. Faculty who hold academic-year appointments do not accrue annual leave. Their periods of obligation and leave are governed primarily by the academic calendar, subject to stipulation by the employee’s dean. [FSH 3120] [ed. 7-10]

B-2. Annual leave for classified and exempt appointment of less than 100% full-time, but equal to or greater than half-time, is accrued based on hours worked and at a rate based on the employee’s classification [B-1]. No annual leave is accrued for less than half-time service.

B-3. Temporary employees who are eligible for PERSI accrue annual leave beginning on the first day of employment in an eligible position at a rate of .0462 times hours worked within each bi-week, however leave is not earned until the benefit qualification period has been satisfied.

Annual leave for qualified temporary employees accrues, but is not earned until the employee has worked at least 20 hours per week and for a period of at least five (5) months (the benefit qualification period). Approval to use accrued, but unearned annual leave may be approved by the employee’s supervisor under special circumstances. However, in the event that accrued annual leave is taken before it is earned and the employee also voluntarily separates or is terminated for cause before annual leave is earned, the value of unearned annual leave taken will be withheld from pay, other earning or payments or must otherwise be repaid to university.

   Leave Accrual Example:
   Annual leave accrues based only on hours worked.
   62 hours worked times .0462 results in 2.90 hours of accrual and may accumulate to a maximum of 192 hours.

B-4. Annual leave accrual is temporarily suspended when the accumulation reaches the maximum allowance. Once the leave accumulation drops below the allowed maximum, accruals resume.

B-5. Employees eligible for overtime earn overtime based on only hours worked. There is no overtime accrual based on annual leave, sick leave, compensatory time, holidays or any other paid time off.
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B-6. Annual leave continues to accrue while on any paid leave, except that annual leave does not accrue on hours of compensatory time used; during terminal leave [K]; during academic transitional leave [J] or for temporary employees who accrue annual leave based only on hours worked.

B-7. At the employee’s option, accrued annual leave may be used during any approved leave that could otherwise be taken as sick leave. [RGPP II.1.2.b.]

B-8. Annual leave must be scheduled in advance and requested in writing by the employee. Annual leave may not be taken without the supervisor’s written approval. Both the employee’s vacation preference and business needs of the unit must be considered in establishing mutually agreed periods of leave [APM 55.09].

   a. Supervisors are responsible for coordinating and approving requests for annual leave of all employees in their respective units.

   b. An employee on approved annual leave, who becomes eligible to use sick leave through unforeseen events, may use sick leave in lieu of annual leave with approval from his/her supervisor. Documentation to support the use of sick leave may be required.

B-9. Leave balances are paid to employees upon separation (i.e. resignation, retirement layoff, non-renewal, termination) from all State of Idaho employment [IC 67-5334]. Leave balances are transferred from the university to other State of Idaho employers when the university employment ends and a new position is accepted with any State of Idaho employer when there is no break in state service [A-5]. However, the university reserves the right to require an employee to exhaust some or all annual leave prior to any job or employment separation.

Employees separating upon the expiration or termination of a grant will be required to use annual leave before the last day of employment.

In the event of an employee’s death, payment is made to his or her estate.

The effective date of the employee’s separation is the last day on which he or she reports to work for the university, unless the Assistant Vice President (AVP) for Human Resources or designee has approved a written request for alternative termination arrangements that are in the best interests of the university.

A termination extended through the use of accrued annual leave must be approved in advance, in writing, by the AVP for Human Resources or designee and unit administrator and shall be treated as terminal leave. [J and APM 50.20]

In the event that an academic administrator transitions from a position eligible for annual leave to a faculty position in which annual leave does not accrue, balances should be exhausted prior to the start of the new appointment. Leave balances that cannot be used will be carried forward. If not used, the balance of unused annual leave will be paid at the time of separation of all State of Idaho service. Carry forward of annual leave balances exceeding eighty (80) hours must be approved in advance by the AVP for Human Resources, or designee.

B-10. Any individual, regardless of type of appointment, with an annual leave balance who transfers or who is reassigned to another unit within the university may be required to exhaust all existing annual leave prior to starting the new assignment.

B-11. Payment in lieu of annual leave taken for any reason other than separation from employment is granted only by exception or under other special circumstances within the business needs of the university.

B-12. Eligibility requirements for annual leave for temporary help (TH) can be found in FSH 3090.
C. SICK LEAVE.

C-1. Employees that work at least 40 hours in a bi-weekly pay period for at least five (5) consecutive months accrue sick leave. Accrual is approximately 3.7 hours bi-weekly for full-time service. [FSH 3090 C]

C-2. Sick leave accumulation for half-time but less than full-time service is accrued proportionately based on hours worked and earned at the rate of .0462 for each hour worked.

C-3. Sick-leave may be accumulated without limit.

C-4. Sick leave cannot be taken in advance of accrual. If, at the end of a bi-weekly pay cycle, absences exceed sick leave accumulation, the hours will be charged to compensatory time first, if available, and then to annual leave. If there is no leave accumulation, time will be unpaid. If sick leave or other types of paid leave are available for an approved absence of any duration, time-off must be taken using available paid leave and may not be taken as unpaid leave, unless such absence has been approved as a personal leave [N] without pay in accordance with the guidelines of this policy [ed. 2-08].

C-5. Sick leave continues to accrue while on any paid leave, except for hours of compensatory time used; during terminal leave; and/or during academic transitional leave [I].

C-6. Sick leave may not be used in lieu of annual leave, except when the conditions of B-8. b. above have been met.

C-7. Sick leave may be taken only as follows:

   a. Illness of Employee. An employee’s own illness, injury, or childbirth-parenting (see FSH 3710 E) that prevents the employee from performing his or her assigned duties; or in the event of exposure to contagious disease if, in the opinion of responsible authority, the health of others would be jeopardized in the work place.

   b. Illness of an Immediate Family Member. When the illness or injury of an immediately family member as defined in [A-3] of this policy requires the attendance of another, the employee may use his or her own available sick leave.

   c. Death of an Immediate Family Member. In the event of a death of an immediate family member as defined in [A-3] of this policy, up to fifteen (15) days of sick leave may be used immediately following the event, but can be extended if there are special circumstances. The unit administrator and the AVP for Human Resources or designee may approve an extension of leave for up to a total of thirty (30) days of sick leave.

   d. Death of a Family Member. Sick leave usage for the death of a family member other than a member of the immediate family as defined in [A-3] of this policy is limited to a maximum of five (5) days of sick leave immediately following the event.

   e. Medical Appointments. Personal or family appointments for medical, dental, optical treatment or examination, or meeting with an Employee Assistance Program professional, including time for travel to and from such appointments. An employee is allowed up to two hours of time off per month for such appointments without charge to sick leave provided satisfactory arrangements have been made with the employee’s supervisor. If the employee has absences totaling more than two hours in a month, such absences must be reported and charged to sick leave. There is no carryover balance from month to month.

   f. Parenting/Adoption. Up to ten (10) days of sick leave may be used during an approved family medical leave for either parent for parenting as defined in L-5 of this policy. In the case of adoption, the child must be younger than 18 years of age and may not be a stepchild.

   f. Organ Donation. Full- and part-time benefit eligible employees may use up to five (5) days of sick leave for bone marrow donation and may use up to thirty (30) days of sick leave to serve as a human donation organ donor during an approved family medical [L] or personal leave [N] [ed. 2-08].
C-8. Attendance at work is a job requirement for all positions at the university. Excessive absenteeism can affect job performance. Supervisors have the right to set attendance standards and require medical evidence to support absences that exceed these standards. Absences that occur during an approved family medical leave [L] are exempt from these requirements.

C-9. The federal Family Medical Leave Act of 1993 (FMLA) was adopted as law to protect the best interest and job security of employees. The university may initiate family medical leave (FML) and will apply FML concurrently with sick leave when the employee’s own illness, work-related injuries, or an illness of a family member is covered by FML. In these circumstances, sick leave must be used before unpaid FML is taken [L-2].

C-10. An employee may be eligible for FML after three (3) consecutive days of sick leave, unpaid or other absence [L-4] and may initiate a request for FML at any time prior to an absence which they suspect may qualify. However, the university may also initiate FML and will typically take steps to determine if an absence qualifies as FML when an employee has missed five (5) consecutive workdays or longer by providing the employee with an absence questionnaire and FML application. A failure to comply with a request to complete the absence questionnaire and/or the FML application (if applicable) may result in absence without pay and/or disciplinary action, up to and including dismissal from employment as provided in relevant university policies [FSH 3910, 3920 and 3930].

C-11. Employees transferring without a break in service from a qualified Idaho state agency or from the university to another state agency will be credited with their accrued sick leave by the receiving agency. All unused sick leave is forfeited when an employee is separated from state service. No compensation is made for such unused leave, except as provided in C-12 in the case of employees who are retiring from the university. If an employee returns to state service or to the university within three (3) years after separation, sick leave forfeited at the time of separation will be reinstated.

C-12. Employees who retire and then return to work at the university may not be entitled to reinstatement of sick leave balances. In this instance, only the unused portion of sick leave that was converted at the time of retirement [C-13 and FSH 3730 C] to pay for retiree health benefits may be reinstated for employees who separate for retirement purposes and later return to work at the university.

C-13. An employee who retires under the eligibility conditions for retirement or disability retirement as stated in FSH 3730 may apply a pre-determined amount of unused sick leave accrued since July 1, 1976, as payment for continued coverage under the university retiree health program. [FSH 3730, APM 55.39] [ed. 7-10]

D. HOLIDAYS.

D-1. The university is closed at least eleven (11) holidays each fiscal year. [3460 F-2]

D-2. Board-appointed employees [FSH 3080] and temporary help employees participating in PERSI [FSH 3090] are eligible to receive holiday pay. [ed. 2-08]

D-3. Benefit-eligible employees [A-6.a.] who are employed full time (87.5 percent or greater) receive holiday pay based on eight (8) hours for each holiday. An employee who works a compressed work schedule to include more than eight (8) hours each day, such as four (4) ten-hour workdays in one week, will still receive only eight (8) hours of holiday pay. With supervisor approval, the employee may make up the difference between their regular hours of work and the holiday pay for that day (two [2] hours in this example) through a flexible work schedule within the same work week [FSH 3460], or may use accrued compensatory time or annual leave, or take the time as unpaid.

D-4. Benefit-eligible employees [A-6.a.] who are employed at least half time but less than full-time, are entitled to receive holiday pay, pro-rated based on the average number of hours scheduled each week. The number of hours scheduled on a routine basis (not the hours worked in the week in which the holiday falls) is divided by five (5) days. For example:
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20 hours per week / 5 = 4 hours of holiday pay
25 hours per week / 5 = 5 hours of holiday pay
30 hours per week / 5 = 6 hours of holiday pay

D-5. The university embraces diversity and recognizes that our workforce is derived from many diverse cultures to include many different religious preferences. An individual may be absent from work to observe a religious holiday consistent with his or her own religious beliefs and practices when the day is not consistent with the university’s official holidays, provided advance notice is given. Pay for these absences are as follows:

a. Benefit-eligible employees may use their accrued compensatory time or annual leave to receive pay for an observed religious holiday that is not an official university holiday.

b. Employees who are not benefit-eligible, or who do not have compensatory or annual leave available, may observe the holiday without pay; or, with advance supervisory approval, employees may make up the hours in the same work week [FSH 3460].

D-6. Benefit-eligible employees are entitled to holiday pay while they are on other approved paid leave, or during any portion of paid or unpaid family medical leave.

E. PARENTING LEAVE.

E-1. Employees who meet FMLA eligibility requirements (see FSH 3710 M-3) are entitled to 16 weeks of job protected leave with continuation of group health insurance coverage within 12 months of the birth, adoption, or foster placement of a son or daughter.

Son or daughter means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and “incapable” of self-care because of a mental or “physical disability” at the time of the FMLA leave request.

E-2. Employees can choose to use a combination of accrued paid leave or unpaid leave. Employees must first use accrued sick leave (see FSH 3710 M-2) before going on leave without pay. The remainder of the job protected leave will be unpaid, unless the employee chooses to use a combination of accrued annual leave, compensatory time, or shared leave (if eligible see 3710 L).

E-3. Employees are encouraged to familiarize themselves with FMLA guidelines before requesting or granting Parenting Leave. “Fact Sheets” that explain FMLA (numbers 28 through 28M) may be found on the United States Department of Labor Wage and Hour Division website.

E-4. Leave may not be used for both foster care and adoption consecutively if foster placement leads to the adoption of the son or daughter.

E-5. Alternate or reduced work schedules are addressed in FSH 3710 M-13 b.

E-6. See FSH 3710 R-1 for exceptions to University leave policies.

F. MILITARY LEAVE.

F-1. Faculty and staff, regardless of whether or not they hold a fiscal-year or academic-year appointment are eligible for leave of up to fifteen (15) working days in a twelve (12) month period for active duty or military training. Leave for State of Idaho military duty or training is limited to fifteen (15) days within a calendar year. Employees who are in board-appointed positions [FSH 3080] are eligible for paid military leave. When called to active duty or training, the university will pay the difference between military pay received from the U.S. or State government, but cannot duplicate pay. This is accomplished by full pay during an approved military leave. The employee must provide documentation of military pay received during leave, within ninety (90) days of return from leave or upon earlier job separation. The employee is required to repay to the university any amount which exceeds their regular base pay for the same period. Unpaid military leave may be requested if the employee knows their
military pay will exceed their university pay. Annual and sick leave credit towards length of service for retirement plan, and other vesting will continue to accrue during the fifteen (15) working days of military leave and eligibility for employee health benefits will continue whether military leave is requested with or without pay. An employee at their own option may instead request annual leave on the same basis as any other vacation or other time off and if approved, may use annual leave and retain full military pay. [APM 55.09 and 55.38]

**EF-2.** Any employee who is called to active duty and/or is required to serve more than fifteen (15) working days is eligible for up to five (5) years of military leave. Eligibility for employee health coverage will continue at a minimum through the first thirty (30) calendar days of service while on an approved military leave. The employee will be required to pay the employee share of the health care costs, as well as the costs for his/her dependents.

**EF-3.** An employee may use annual leave and/or accrued compensatory time for military service and continue to receive pay and benefits before commencement of military leave.

**EF-4.** Military leave beyond the first fifteen (15) working days is generally granted without pay and benefits. Health care coverage will end for the individual who is called to active duty after the first thirty (30) days of service. However, coverage for his/her dependents may continue for up to an additional six (6) months, provided that the employee has made arrangements with Benefit Services to pay the full cost of coverage, on at least a monthly basis. In this instance, any other coverage provided by U.S. military programs will be primary.

**EF-5.** When on military leave or when his/her dependents are not eligible for coverage elsewhere, the employee or his/her dependents, individually or as a family, may be eligible to continue health care coverage through COBRA.

**EF-6.** An employee may elect to continue group life insurance benefits in effect for the employee or his/her dependents on the date the employee is called to active duty for a maximum period of thirty (30) days. However, the employee must self-pay the full cost, based on rates and eligibility rules afforded to others who are actively at work. Benefits from these programs generally exclude losses resulting from participation in a military organization or from an act of war. An employee may also have the right to life insurance portability or conversion to an individual life insurance policy following termination of benefits in the group plan.

**EF-7.** Upon reinstatement, the employee’s health plan will resume as if their employment had not been interrupted.

**FG-8.** In accordance with state and federal law, an employee upon return will be reinstated to his/her former position or a comparable position without loss of seniority, status or pay rate provided the employee returns with an honorable discharge and within five (5) years from departure date from the university.

**FG-9.** Upon reinstatement, the employee’s health plan will resume as if their employment had not been interrupted.

**FG-10.** In some situations, re-employment may not be possible, such as when there has been a significant change in circumstances, if re-employment would impose an undue hardship on the university or department, or if the person’s employment was temporary in nature, such as positions that are grant-funded for a specific duration and/or temporary help (TH) positions.

1. If the returning employee's skills need upgrading to meet the requirements for a prior or promoted position, the university will make reasonable efforts to refresh or update these skills unless such efforts would create undue hardship for the university.

2. When an employee with a service-related disability is not qualified to perform the essential functions of his/her job after the university has made reasonable efforts to accommodate the disability, the employee may be placed in another position of comparable pay, rank, and seniority.

**FG-11.** Employees returning from military leave must provide the university with written timely notification of intent to return to their position. The university may require documentation that the person’s application for reemployment is timely and that the person’s discharge from uniformed services was under honorable conditions. University procedures will follow the applicable state and federal law, including but not limited to the

**KE-9.** Retirement benefit contributions are suspended while the employee is on unpaid military leave. Upon reinstatement after military leave, reenrollment in the retirement plan will be immediate.

- a. Credited state service continues during military leave as though no break in employment has occurred.
- b. The employee may elect to make up any employee contributions missed during an approved military leave. Such contributions must be paid into the plan within a period not to exceed three (3) times the length of the military leave, up to a maximum of five (5) years.
- c. The university will contribute the regularly scheduled match contributions for any employee make-up payments made in connection with an approved military leave.
- d. For purposes of determining eligibility for retiree health coverage, military leave will not count as a break in service provided that re-employment occurs within the parameters of this policy. Further, an employee will receive university service credit for purposes of determining eligibility under the Retiree Health Program [FSH 3730] during the fifteen (15) days of approved paid military leave; however, the employee will not receive service credit for purposes of determining eligibility under the Retiree Health Program [FSH 3730] for any unpaid military leave.

**FE-10.** The university will not discharge an employee without cause, as that term is defined by federal USERRA regulations, who is reinstated under the provisions of the USERRA and has served thirty-one (31) to one hundred and eighty (180) days without cause for six (6) months following reinstatement. If the length of military service was more than one hundred and eighty (180) days, but less than five (5) years, the employee will not be discharged without cause for one (1) year following reinstatement.

**E-11.** This policy is intended to comply with applicable state and federal laws, including the Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994. To the extent that any provision of this policy is ambiguous and/or contradicts the Act or any other law, the applicable law or Act will prevail.

**GF. LEAVE FOR COURT REQUIRED SERVICE AND VOTING.**

**GF-1.** Any employee who is summoned for jury duty or subpoenaed as a witness before a court of competent jurisdiction or as a witness in a proceeding before any federal or state administrative agency will be granted leave. Benefit-eligible employees will be granted leave with pay, except as provided below in F-2. Travel expenses in connection with this duty are not subject to reimbursement by the university. [RGPP II.1.5.a.2; APM 55.09] [ed. 7-10]

**GF-2.** An employee must request annual leave or personal leave without pay for the following:

- a. appearing as a party in a non-job-related proceeding involving the employee;
- b. appearing as an expert witness when the employee is compensated for such appearance; or
- c. appearing as a plaintiff or complainant, or as counsel for a plaintiff or complainant, in a proceeding in which the Board of Regents or any of its institutions, agencies, school or office is a defendant or respondent. [RGPP II.1.5.a.]

**GF-3.** Polling places are typically open extended hours and absentee voting is widely available. However, employees who are unable to vote outside of scheduled hours will be allowed time off to vote. If available, an employee may use accrued annual leave, compensatory time or, if approved in advance, may be able to make up time lost to vote within the same work week [FSH 3460] through a flexible work schedule. Otherwise, time off will be approved, but unpaid.
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HG. LEAVE FOR CAMPAIGNING FOR OR SERVING IN PUBLIC OFFICE.

HG-1. The president approves requests for leaves of absence for the purpose of campaigning for or serving in public office [RGPP II. I.5.c.]. See FSH 6230 E for provisions concerning leave for campaigning and serving in public office.

HG-2. It is the Board of Regent’s intent that state salary not be duplicated to an employee serving as a member of the Idaho Legislature. Any leave for serving as a member of the Idaho State Legislature will be unpaid when the Legislature is in session [RGPP II.I.5.e.2.]. Certain benefits may continue during the unpaid leave; however, the employee must pay the full cost of coverage.

IH. ADMINISTRATIVE LEAVE.

IH-1. Administrative Leave is leave with pay and benefits. An employee will continue to receive pay and leave accruals in accordance with their regular rate and maintain eligibility for other benefit programs. (Terminal leave (J) and academic transitional leave (I) are not considered administrative leave.)

IH-2. At the discretion of the president or his/her designee, an employee may be granted administrative leave when the state or the university will benefit as a result of such leave. [RGPP II.I.5.d; 3470 B] [ed. 7-10]

IH-3. Examples of circumstances that may qualify an employee for administrative leave are volunteer fire fighters attending class off campus, official delegates to the annual general convention of Idaho Public Employees’ Association, and members of state or local committees, such as the Human Rights Commission, attending official meetings.

IH-4. With the approval of the president or designee, an administrator may also use administrative leave to remove an employee from the workplace (for example during an investigation or to mediate an employee relations issue), if approved in advance by Human Resources. The President’s Office or Provost’s Office, as appropriate must be notified.

IH-5. In all cases involving administrative leave with a duration that is more than one bi-week, an electronic personnel action form (EPAF) must be processed. When leave is less than one full bi-week, hours attributed to administrative leave shall be coded as “ADL” on the time/leave record and in the payroll system.

IH-6. In the absence of a written agreement to the contrary, an employee on administrative leave must be available for recall to work during regular university business hours in the event that the employee’s services are required or he/she is otherwise requested to return to work.

IH-7. Under certain circumstances, the university may require the use of accrued annual leave and/or compensatory time.

JI. ACADEMIC TRANSITIONAL LEAVE.

JI-1. Academic transitional leave may apply when an academic administrator steps down from his/her administrative appointment and assumes a faculty appointment. The purpose of academic transitional leave is to prepare the employee for a new faculty appointment. Transition leave is not available in the event of transition from academic faculty to an administrative appointment. Academic transitional leave is granted at the discretion of the university, must be approved by the provost, and approved by the president or designee.

JI-2. There is no accrual of annual leave during the period of academic transitional leave. All other benefits and leave accruals are provided on the same basis as afforded to similarly situated employees in a faculty job classification. Annual leave balances should be exhausted prior to a new academic faculty appointment. Leave balances that cannot be used will be carried forward. If not used, the balance of unused annual leave will be paid at the time of separation of all State of Idaho service. Carry forward of annual leave balances exceeding eighty (80) hours must be approved in advance by the AVP for Human Resources or designee.
**KJ. TERMINAL LEAVE.**

**KJ-1.** Terminal leave is paid leave received by a terminating employee in lieu of wages at the employer's discretion. An example of terminal leave is leave paid to an employee who is not completing the term of his/her contract at the request of the employer. Sick and annual leave is not accrued during the terminal leave period. Time toward length of service for retirement vesting and eligibility for university retiree health benefits [FSH 3730] will continue. The duration of terminal leave is determined at the discretion of the university.

**KJ-2.** During terminal leave, health benefits continue for an employee and his/her covered family members on the same basis as employees of the same classification who are actively at work. The employee’s share of all health care contributions, including employee and dependent medical/dental, supplemental life, and/or any other costs of coverage, will be withheld from the employee’s pay. Upon separation from employment, the employee and/or his/her covered family members, as a family or individually, may have rights to medical/dental coverage through COBRA.

**KJ-3.** The university may require the use of accrued annual leave and/or compensatory time during the terminal leave period or may pay out some or all accrued, but unused balances at the time of termination.

**LK. SHARED LEAVE.**

**LK-1.** University employees who earn annual leave may donate annual leave hours to shared leave of a fellow employee who has an extraordinary need for leave. Annual leave donated becomes shared leave. Shared leave may be donated to a shared leave pool or to the benefit of a specific eligible recipient. [See FSH 3710 L-5 below and APM 55.07 C-3 for conversion of donated leave to shared leave.]

**LK-2.** Eligibility. Benefit eligible employees, including academic year faculty who do not accrue annual leave, are eligible to receive shared leave.

   **a. Qualifying Events.** If any benefit-eligible employee [A-6. a.] who has a health condition [K]-2.a.1] or whose immediate family member [A-3] has such a condition and the employee is required to take time away from work, and has exhausted all leave, the employee may apply for shared leave when time away from work is a qualified absence as described below [K]-2.a.1) but will not be compensated by paid leave or wage replacement programs such as disability and workers’ compensation benefits.

   1. The health condition of the affected individual must be certified by a competent health care provider to be considered as acceptable evidence by the university, and qualify as a serious health condition as defined by family medical leave [ML] to include a need resulting from human organ or bone marrow donation. This provision applies only to the acceptable medical conditions of family medical leave. An employee need not meet the service and other requirements of family medical leave to be considered as an absence eligible for shared leave.

   2. Shared leave may be requested for routine pregnancy-related disability and complications of childbirth and pregnancy, but not for parenting or parent-child bonding. Sick leave benefits for eligible employees may be available for parenting [C-7].

   3. An applicant for shared leave who has used his or her own annual leave for purposes other than attending to a medical condition that is known to create potential for an extraordinary need for leave typically is not eligible for leave from the shared leave pool. Under extraordinary circumstances, such an applicant may request an exception to receive shared leave from directed donations.

   4. Shared leave that is donated from the shared leave pool is intended for use by employees who intend to return to work. An applicant who wishes to receive shared leave and otherwise meets the criteria of the program and does not intend to return to work may apply for shared leave; however, shared leave in this instance is available only from donations directed specifically to that one recipient.
b. Prerequisites. An employee must have used all other available leave such as sick leave, annual leave, and compensatory time to qualify as a recipient of shared leave.

c. Disability Income. To be eligible for shared leave for the employee’s own medical condition, employees must first apply for wage replacement benefits that may be available through workers’ compensation or disability coverage. Once such benefits begin eligibility for shared leave benefits end. However, an otherwise eligible employee may use shared leave while satisfying the waiting period or after exceeding maximum disability periods for income replacement programs.

### LK-3. Donating Shared Leave.

a. Employees who have an accrued annual leave balance may donate to shared leave regardless of their funding salary source. Donations may be made to the shared leave pool and accessed by any eligible recipient or donated directly to a specific shared leave recipient.

b. Shared leave donations are restricted to direct donation when the donor’s annual leave balance is less than forty (40) hours from the maximum leave accumulation limit. In this instance only, the amount of leave actually used by the recipient will be deducted from the donor’s account before any balance is taken from the shared leave pool. Donated leave not used by the recipient will be returned to the donor’s account or forfeited if the maximum accrual has been reached. Donors can choose to designate any unused direct donations to be added to the general shared leave pool. [ed. 7-11]

c. Leave donations made for a specific individual will be drawn from donors’ accounts based on a first-received basis. The first donation request received by Benefit Services will be processed before a second donation from other recipients or before hours are withdrawn from the shared leave pool. Donations will be drawn from the donor’s annual leave account as the time is transferred and used by the recipient. No leave donation in excess of the recipient’s shared leave needs will be taken, unless contributions to the shared leave pool also have been authorized, except as noted above in section b., when donations to the shared pool are restricted.

d. Leave donations may be made in any amount of not less than ½-hour (.50) increments.

e. Shared leave donations may not cause the donor’s annual leave balance to fall below forty (40) hours at the time the donation is processed, unless the donor is terminating active employment from the University. Donors should be aware that any shared leave not used by the intended recipient will be returned to the Shared Leave Pool, not returned to the donor.

### LK-4. Shared Leave Benefits.

a. Maximum Benefit. The maximum shared leave benefit is limited to four (4) working weeks of leave within a rolling twelve (12) month period. Shared leave hours that are granted will be reflective of the employee’s regular percentage of appointment.

b. Shared leave requests are reviewed and granted by the Director of Benefit Services or designee in accordance with this policy. Applicants awarded shared leave will be notified in writing; if the request is denied, the reason(s) for denial shall also be stated in writing. The requestor may appeal a denied request for shared leave. Appeals must be made in writing to the AVP for Human Resources within thirty (30) days from the date of denial and must reference the applicable sections of policy and reasons why there is disagreement. The AVP for Human Resources will respond to appeals within thirty (30) days.

### LK-5. Funding and Conversion.

a. Donation Conversion. Hours of donated shared leave are multiplied by the hourly rate of the donor; that amount is recorded as a deposit to the shared leave pool or the directed recipient’s account and subtracted as hours from the donor’s annual leave balance.
b. Recipients Conversion. The recipient’s hours of shared leave need is multiplied by the recipient’s hourly rate and subtracted from the shared leave pool.

Sick leave is a liability that is funded only through base salary. Funding for a full year of base salary is provided for most positions. If an employee is absent without pay the department typically has received funding for the duration of the employee’s full appointment and would achieve salary savings as a result. The only exceptions would apply to those working from certain special funding sources or who hire a temporary replacement during the period of unpaid leave. Consequently, the department of the employee who will receive shared leave is responsible for funding the pay its employee will receive during leave from shared leave donations.

c. Donors may donate annual leave regardless of their salary-funding source. The department or sponsored research project gains the hours the employee would have taken for annual leave when their employee makes a donation.

ML- FAMILY MEDICAL LEAVE.

ML-1. Family medical leave may be requested by an eligible employee for the following reasons:

a. birth, adoption or foster care placement of a child;  
b. parenting to care for or bond with a child within twelve (12) months following the birth, adoption or foster care placement of a child;  
c. to care for an immediate family member as defined in [A-3] of this policy with a serious health condition as defined in [L-5] of this policy;  
d. because of the employee’s own serious health condition; or  
d. to serve as a human organ or bone marrow donor.

ML-2. Family medical leave and/or servicemember family medical leave is leave without pay. However, when the absence also qualifies for the use of sick leave, if available, sick leave must be used first in conjunction with family medical leave before any period of unpaid absence. Once sick leave has been exhausted or when the type of absence does not qualify for the use of sick leave, the entire absence or remainder of the approved family medical leave will be unpaid, unless the employee chooses to use any combination of compensatory time, annual leave, or shared leave (if eligible).

ML-3. Eligibility. If the employee has been employed by the university for a minimum of twelve (12) months and has worked at least 1250 hours during the previous twelve (12) month period prior to the requested leave, the employee is eligible for family medical leave.

ML-4. Length of Leave. A maximum of up to twelve (12) weeks or a total of 480 hours of family medical leave may be granted to eligible full-time employees during a rolling twelve (12) month period. Eligible part-time employees may be granted up to twelve (12) working weeks of leave or a total number of hours consistent with their regular work schedule within a twelve (12) week period. (i.e. 20 hours per week x 12 weeks = 240 hours). The period is measured from the date the employee last used/exhausted family medical leave or became employed by the university to the date leave is to begin. Family medical leave may be taken on a continuous, intermittent, or reduced-hour basis.

ML-5. Definitions.

When both parents are university employees, family medical leave taken for childbirth/parenting consists of a single benefit of up to a total of twelve (12) weeks for either parent (but not both parents, see L-15) or the single benefit may be shared between the parents. Up to ten (10) days of sick leave may be available to either parent for “parenting” (the bonding period after child birth related disability or for a non birth mother or father).

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Commented [TA(12)]: FMLA allows both parents to take this leave.
a. “Serious health condition” is defined as an illness, injury, impairment or physical or mental condition that involves any period of incapacity or treatment connected with in-patient care (i.e. overnight stay) in a hospital, hospice, or residential medical-care facility, and any period of incapacity or subsequent treatment in connection with such in-patient care; continuing treatment by a health care provider, which includes any period of incapacity (i.e. inability to work, attend school, or perform other regular daily activities) due to a health condition (including treatment for or recovery from) lasting more than three (3) consecutive days; and any subsequent treatment or period of incapacity relating to the same condition, that also includes:

1. treatment two (2) or more times by or under the supervision of a health care provider; or one treatment by a health care provider with a continuing regimen of treatment; or
2. pregnancy or prenatal care. A visit to the health care provider is not necessary for each absence; or
3. chronic serious health condition, which continues over an extended period of time, requires periodic visits to a health care provider, and may involve occasional episodes of incapacity (e.g. asthma, diabetes). A visit to a health care provider is not necessary for each absence; or
4. permanent or long-term condition for which treatment may not be effective (e.g. Alzheimer's, a severe stroke, terminal cancer). Only supervision by a health care provider is required, rather than active treatment; or
5. absences to receive multiple treatments for restorative surgery or for a condition which would likely result in a period of incapacity of more than three days if not treated (e.g. chemotherapy or radiation treatments for cancer).

b. “Parenting” is defined as the period of bonding that occurs within the first twelve (12) months of the birth, adoption or foster placement of a child in the family and ends twelve (12) months after birth or placement of an adopted or foster child for either parent. An employee who has given birth may be eligible for family medical leave related to child-birth disability and may continue leave followed by a period of bonding or parenting which begins at the expiration of the disability of the birth mother and/or child if applicable. Up to ten (10) days of sick leave may be used by either parent for the bonding/parenting period (C, E-7 and L-3).

ML-6. Health benefits continued during family medical leave on the same basis as for any similarly situated employee who is actively at work, regardless of whether the employee is using other forms of accrued leave or taking leave unpaid. The employee’s share of cost for health coverage is the amount that is typically payroll-deducted for the employee’s own coverage and/or coverage for his/her dependents. The employee is responsible for payment of these amounts during leave. Payroll deductions will be continued for any portion of the leave that is paid. During any portion of leave when no pay is received, the employee must make arrangements to self-pay these amounts. Retirement plan contributions, accruals for sick and annual leave and credit toward vesting are suspended during unpaid portions of family medical leave.

ML-7. All qualified absences, including those due to a work-related injury, will be considered as family medical leave.

ML-8. If there are reasonable circumstances to support that an employee’s absence qualifies as family medical leave, the university has the right to classify such absence as family medical leave.

ML-9. When the need for family medical leave is foreseeable, an employee must request an application for family medical leave at least thirty (30) days in advance of the need for leave. Application assistance is available from Benefit Services. When events are not foreseeable, employees must provide as much notice as is possible. Application for family medical leave after a return from absence is not recommended; rights to preserved employment and benefits may be adversely affected. In any event, absent extraordinary circumstances, an
employee may not claim an absence as a qualified family medical leave event unless done so within the first two (2) days of return from an absence.

**ML-10.** When leave is taken for personal illness or to care for an immediate family member with a serious health condition, leave may be continuous or intermittent and may include a reduction in hours worked. For intermittent leave, the employee must provide certification from the health care provider caring for the employee and/or family member stating the leave must be taken intermittently. Employees needing intermittent leave must attempt to schedule their leave so as not to disrupt university operations. The university reserves the right to assign an employee to an alternative position with equivalent pay and benefits that better accommodates the employee’s intermittent or reduced leave schedule.

**ML-11.** Employees on family medical leave are required to provide documentation to Benefit Services as requested, including intent to return to work. During leave, the university may require an employee to re-certify the medical condition that caused him/her to take leave. A return-to-work release from the health care provider is required before an employee absent due to his or her own serious health condition may return to work.

**ML-12.** Family medical leave requests for medical treatment or care giving requires certification from the health care provider documenting medical necessity.

**ML-13.** Family medical leave requests for parenting must be approved in advance and completed within twelve (12) months of the birth, adoption, or foster care placement of a child.

a. Shared leave under 1 of this policy may not be used for the purpose of parenting; however, Shared leave (if granted) may be used for the disability period related to childbirth.

b. Intermittent leave or reduced work schedule requests for parenting may not be granted, or may be cancelled by the university with thirty (30) days written notice, based on business needs of the university.

**ML-14.** Family medical leave taken by two (2) university employees to care for a new born child or child placed for adoption or foster care or to care for a family member who has a serious health condition consists of a maximum twelve (12) weeks of leave for each employee. Family medical leave for parenting is addressed in FSH 3710 E.

**ML-15.** If the university obtains information from a credible source, such as the workers’ compensation authority, disability carrier, or a medical practitioner, that alters, changes, casts doubt, or fails to support continued leave or the leave application, the university has the right to:

a. revoke leave;

b. not grant leave;

c. require new evidence to support the leave request;

d. require the employee to return to work if the leave is not substantiated; and/or

e. when appropriate under applicable employee discipline policies [FSH 3910, 3920, and 3930], take disciplinary action, up to and including dismissal.

**ML-16.** Upon return from family medical leave, employees will be assigned to their same or similar position with equivalent pay and status with or without reasonable accommodation, as appropriate, in accordance with the Americans with Disabilities Act. Job reassignment must be coordinated with Employment Services and approved by the AVP for Human Resources or designee. The university has no obligation to restore employment to temporary hourly (TH) or other employees if the employment term or project is over and the university would not otherwise have continued employment.
Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF

Section 3710: Leave Policies for All Employees

ML-17. Family medical leave is not intended for individuals who do not plan to return to work. An employee who applies for and is granted family medical leave and fails to return to work for at least thirty (30) days upon the expiration of their family medical leave period may be obligated to repay the costs of health coverage provided by the university during any portion of family medical leave. If the university is notified that the employee does not intend to return to work, the family medical leave period will terminate immediately and the employee will be separated from employment on that date. Medical, dental and under some circumstances Health Care Spending Accounts may be continued through the Consolidated Omnibus Budget Reconciliation Act (COBRA). Options for life insurance portability or conversion may also be available. Job separation under these circumstances will result in a lump sum payment of annual leave and/or compensatory balances. In addition, the employee will no longer have a right to restoration to the same or equivalent position. The employee is responsible for contacting Employment Services to arrange for an exit interview.

NM. SERVICEMEMBER FAMILY AND MEDICAL LEAVE. The federal Family and Medical Leave Act (FMLA) now entitles eligible employees to take leave for covered family member’s service in the Armed Forces (Servicemember Family and Medical Leave) in two instances. This section of the policy supplements the above family medical leave policy and provides general notice of employee rights to such leave. Except as stated below, an employee’s rights and obligations to servicemember family and medical leave are governed by the general family medical leave policy. [add. 2-08]

NM-1. Definitions: The following definitions are applicable to this section of the policy.

a. “Eligible employee” is a spouse, son, daughter, parent, or for purposes of caring for a family member, the next of kin of a covered family member.

b. “Next of kin” is the nearest blood relative of a family member who is in the Armed Forces.

c. “Covered family member” means any family member who is a member of the Armed Forces, including a member of the National Guard or Reserves, regardless of where stationed and regardless of combative activities.

NM-2. Leave Entitlement: Eligible employees are entitled to take servicemember family and medical leave for any one, or for a combination of the following reasons:

a. Any “qualifying exigency” (as defined by the Secretary of Labor) arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty or has been notified of an impending call or order to active duty in the Armed Forces in support of a “contingency operation,” and/or

b. To care for a covered family member who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces, provided that such injury or illness may render the covered family member medically unfit to perform duties of the family member’s office, grade, rank or rating.

NM-3. Duration of servicemember family and medical leave:

a. When leave is due to a qualifying exigency: an eligible employee may take up to 12 work weeks of leave during any 12-month period.

b. When leave is to care for a covered family member: an eligible employee may take up to 26 workweeks of leave during a single 12-month period to care for the covered family member. Leave to care for a covered family member, when combined with other qualifying family medical leave may not exceed 26 weeks in a single 12-month period.

c. Concurrent leave: servicemember family and medical leave runs concurrent with other leave entitlements provided under federal, state and local law.

ON. PERSONAL LEAVE. [ren. 2-08]

ON-1. Any employee not covered by another university leave type within this policy may request a personal leave of absence.

ON-2. Personal leave is leave without pay and without benefits. However, the supervisor may require the use of sick, annual or any other type of accrued leave if the absence qualifies and leave is available. Personal leave
may be taken with pay and benefits when other paid leave such as annual leave is taken concurrently. In rare circumstances, leave may be approved without pay, with continued benefits, but only when approved as an exception and only when doing so meets the business needs of the university. Hiring units are responsible for funding the benefits under these circumstances. [APM 55.38] [ed. 7-10]

ON-3. Reasons for requesting a personal leave may include, but are not limited to, religious, personal, and educational matters or for extension of any leave when all other leaves have been exhausted.

ON-4. All requests for personal leave must be made to the supervisor in writing. A leave of three (3) working days or less can be approved by the supervisor and are recorded by the timekeeper on the employee’s time record as LWB. The president or his/her designee (i.e., provost) must approve a personal leave which exceeds three (3) working days. Personal leave is not guaranteed and is granted on a case-by-case basis, with the approval of the supervisor and the unit administrator, based on the business needs of the university.

ON-5. The president or designee (i.e. provost) may grant personal leave without pay with or without benefits for a period of up to one (1) calendar year, with extensions not to exceed a total of three (3) successive calendar years [RGPP II.I.5.c.1]. Consideration is given to such requests on an individual basis in the light of the reason for which it is requested, whether it is leave with or without paid benefits and the effect that granting it will have on the employee’s unit or program.

ON-6. When a personal leave of absence is granted, the university assures reinstatement of the individual to a position of similar status and pay, but only to the extent that such position continues to exist and would have continued to exist had no leave been taken. Return to work in the same job within the same department is not promised.

ON-7. During personal leave without pay an employee is not eligible for holiday pay, the accrual of sick or annual leave, or the use of medical appointment leave, and may not be granted any other type of leave of absence such as family medical or military leave until the employee has first returned to work under active status and otherwise qualifies for such leave.

ON-8. An employee who has received approval from the president or his/her designee for a personal leave without pay without paid benefits may continue to contribute toward and receive the benefits of the institution’s insurance and retirement programs, if the laws, rules, regulations, policies and procedures governing the administration of such insurance and retirement programs permit. [RGPP II.I.5.c.3]. Employees should consult Benefits Services for more detailed information on how personal leave without pay will impact their benefits and their rights to continue coverage through COBRA and life insurance conversion or portability. [APM 55.09 and 55.38] [ed. 7-10]

ON-9. Employees who are granted a personal leave of absence without pay are responsible for making arrangements with Benefit Services, before the leave begins, for the continuation or discontinuation of benefits. Also, they should call Benefit Services on their return to active status to make sure that any benefits that had been discontinued are reinstated or to adjust for changes that occurred while they were on leave. [APM 55.38] [ed. 7-10]

ON-10. Personal leave is not intended as a vehicle to continue benefits for periods when employees are not working due to academic or seasonal work schedules or for a reduction in hours.

PO. EXTENDED FAMILY MEDICAL LEAVE. [ren. 2-08]

PO-1. Extended family medical leave (EFML) extends job protection and health benefits beyond the expiration of family medical leave. EFML is intended for the following:

a. Individuals who plan to return to work and have a prognosis to support return to work with assumption of full duties and responsibilities of their position, with or without reasonable accommodation, within a total absence period of no more than twelve (12) consecutive months; or
b. Individuals who do not have an acceptable prognosis to return to work, but whose absence qualifies for the use of sick leave and who have an unused sick leave balance upon the expiration of family medical leave.

**PO-2.** EFML and other options for an employee’s return to work following an approved family medical leave must be coordinated through Benefit Services, approved by the supervisor, and are granted at the discretion of the university, but are not guaranteed. EFML may not exceed nine (9) consecutive months. [ed. 2-08]

**PO-3.** Acceptable medical certification and/or other documentation to support a prognosis for return to work must accompany all requests for EFML. If acceptable medical certification and/or other documentation are not provided, notice of contemplated job action to separate the employee from employment at the expiration of family medical leave may be served upon the employee if all sick leave has been exhausted.

**PO-4.** If there is not a prognosis to return to work as defined above [O-1], notice of contemplated action for job separation will be issued. However, if the employee has a remaining sick leave balance and his/her condition qualifies for the use of sick leave, employment and EFML leave will be extended through the earlier of:

a. the date in which all sick leave will be exhausted; or
b. expiration of six (6) months of accumulated leave, measured from the date in which leave was first granted for the same condition.

All sick leave is forfeited upon separation from employment, except as provided in O-6, or as provided in (Idaho State Code 53-4001) rights to reinstate sick leave upon return to work for any State of Idaho agency. [ed. 2-08]

**PO-5.** Sick and all other available paid leave must be used concurrently with and taken first before any period on unpaid leave during EFML. EFML is leave with benefits but without pay, unless accrued sick or annual leave or compensatory time is used.

**PO-6.** An employee with a sick leave balance who separates from employment upon the expiration of EFML and qualifies as a disabled retiree, or as a retiree eligible for any tier of university retiree medical coverage that requires retiree cost sharing, may convert a predetermined amount of the unused sick leave to pay for the retiree’s share of the cost for their own university medical coverage. [FSH 3730]

**PO-7.** Health benefits will continue during an approved EFML in the same manner afforded to any employee of the same classification who is actively at work.

a. The employee must make arrangements to self-pay his/her share of employee and dependent benefit costs during any portion of EFML that is unpaid.

b. Sick leave, annual leave, holiday pay and credited service hours toward vesting of annual leave accruals and retirement are not continued during any portion of leave that is unpaid.

c. Short and/or long-term disability wage replacement payments and/or actively at work provisions for death and other benefits provisions within PERSI and similar contracts refers to an employee being actively at work (employed and not on leave) on the date in which the disability has first begun. An employee whose condition began before taking a leave of absence and who has qualified or met the conditions in accordance with provisions set by the carrier will continue to receive benefits and/or remain eligible for such benefits during Extended Family Medical Leave, and/or upon separation from employment if unable to return to work. [Refer to Disability and Retirement Plan Handbooks. www.hr.uidaho.edu/benefits]

**PO-8.** Employees who have been granted EFML are required to provide documentation to support progressive medical improvement. Medical certification and other documentation may include temporary restrictions of duties and/or periods of part-time work. However, restrictions of job duties and/or part-time work restrictions
must be approved by Human Resources and the hiring authority, and must intend and attempt to phase an employee back to work to a level of full assumption of job duties, with or without reasonable accommodation.

**PO-9.** During EFML, the university may require reasonable periodic re-certification and updates regarding the employee's medical condition, prognosis for improvement, and fitness for duty. A release to return-to-work from the health care provider is required before an employee may return to work. The university, at its own expense, may require medical pre-screening for return to work in a position that includes pre-employment medical pre-screening to ensure the safety and fitness for prescribed job duties before an employee is allowed to return to work with or without restriction of job duty.

**PO-10.** When an employee's own medical condition or restriction is expected to be chronic, or when the condition fails to progressively improve, notice of contemplated action and job separation or accommodation of disability under ADA should be explored.

**PO-11.** If at the expiration of the EFML period the employee is still unable to perform the essential duties of his/her position with or without reasonable accommodation, the university has the right to separate any employee from employment and/or to end EFML and begin job separation when the medical prognosis ceases to support a return to work within EFML limits. [FSH 3910, 3920 and 3930]

**QP. LEAVE FOR PROFESSIONAL IMPROVEMENT.** [ren. 2-08]

**QP-1.** Leave for professional improvement is paid leave with benefits for the purpose of participating in professional development programs or experiences for an extended period of more than two (2) weeks to attain or enhance a skill set that will result in a mutual benefit to the both the university and the employee.

**QP-2.** Members of the faculty who hold the rank of instructor or above, exempt employees, and classified staff are encouraged to participate in programs of professional improvement. (Tenured faculty may also be eligible for sabbatical leave and should refer to FSH 3720.) Generally, on the recommendation of an applicant’s administrative supervisor, and with the approval of the dean/director and the provost/vice president, professional improvement leave may be granted under the following conditions (individual departments may have additional requirements and restrictions):

- **a.** To participate in this plan, the faculty or staff member must have completed four (4) years of service before the time the leave is to begin.
- **b.** Generally, at least two (2) years of service must intervene between a sabbatical leave and a leave for professional improvement or at least five (5) years of service must intervene between a leave for professional improvement and a subsequent request for the same type of leave.

**QP-3.** The employee requests professional improvement leave with pay by submitting a letter of application to the supervisor at least three (3) months before the leave is to begin. The letter should address the professional development to be derived from the leave, what activities (i.e. research, writing, experience, etc.) will be involved to achieve the professional goals, the duration of the leave, the level of support requested, and the source of funds, if known.

**QP-4.** Persons granted leave under this policy are expected either to return to the active service of the university for at least one academic or other full work year after completion of the leave, or are required to repay the money received from the university for the period of professional improvement leave granted.

**QP-5.** The employee must submit a report to the supervisor, the dean/director, and the provost/president regarding his or her developmental experience upon return to active work status.

**QP-6.** The employee may request approval to use accrued annual leave and to have an equal amount of administrative leave with pay granted to permit his or her participation in a program of professional improvement.

**RQ. EXCEPTIONS.** [ren. 2-08]
RQ-1. Exceptions to these policies may be considered to the extent that such an exception is not contrary to state and federal laws, the Board of Regent policies and procedures, and are considered in the best interest of the university. The respective unit administrator, the AVP for Human Resources or designee, and the president or designee as required, can grant exceptions. A request for exception must be submitted and approved by the supervisor and forwarded to the AVP for Human Resources for further consideration of all approvals.
TO: University Curriculum Committee
FROM: Graduate Council
RE: Change to the graduation requirements for Graduate students
DATE: January 30th, 2015

GPA Requirement for Graduation

Current Language

**Grade Requirements.** In order to be eligible for graduation, a candidate for an advanced degree must have a cumulative GPA, based on all grades on his or her graduate transcript, of at least 3.00 (A = 4.00). The relevant GPA is calculated as stated in regulation E. Courses in which grades of D or F are received may not be counted toward the satisfaction of degree requirements; however, those grades are included in the GPA.

Revised Language

**Grade Requirements.** In order to be eligible for graduation, a candidate for an advanced degree must have a cumulative GPA, based on all grades on his or her graduate transcript, of at least 3.00 (A = 4.00) and at least a 3.0 overall GPA across all courses listed on the approved study plan. The relevant GPA is calculated as stated in regulation E. Courses in which grades of D or F are received may not be counted toward the satisfaction of degree requirements; however, those grades are included in the GPA.
POLICY COVER SHEET
(See Faculty Staff Handbook 1460 for instructions at UI policy website: www.webs.uidaho.edu/uipolicy)

Faculty/Staff Handbook [FSH]  □ Addition X Revision* □ Deletion* □ Emergency
Minor Amendment □
Chapter & Title: 1700 – Bylaws of the Faculty of the College of Graduate Studies

Minor Amendment □
Chapter & Title: _______________________________________

All policies must be reviewed, approved and returned by a policy sponsor, with a cover sheet attached to apm@uidaho.edu or fsh@uidaho.edu respectively.

*Note: If revision/deletion request original document from apm@uidaho.edu or fsh@uidaho.edu, all changes must be made using “track changes.”

Originator(s): Jie Chen*  1-22-2015
(Please see FSH 1460 C)
Telephone & Email: 5-2167  jiechen@uidaho.edu
Policy Sponsor: (If different than originator.)
Telephone & Email: ___________________________________________

Reviewed by General Counsel  ___Yes X___No Name & Date: ___________________________________

I. Policy/Procedure Statement: Briefly explain the purpose/reason of proposed addition, revision, and/or deletion to the Faculty/Staff Handbook or the Administrative Procedures Manual.
This change reflects the fact that all university-wide programs have been moved into disciplinary colleges, and are represented by the member(s) of each of those colleges on the Graduate Council thus we are deleting the specific position on graduate council which was designated for a faculty member representing the university wide programs. This was unanimously voted on/approved by Graduate Council October 22, 2014.

*February 24, 2015, Faculty Senate reinstated university-wide programs indicating that these were a unique group who had different interests than those within a college. Senate suggested rather than remove, that defining this group would be better “a program with graduate faculty from at least three colleges.”

II. Fiscal Impact: What fiscal impact, if any, will this addition, revision, or deletion have?
n/a

III. Related Policies/Procedures: Describe other policies or procedures existing that are related or similar to this proposed change.
n/a

IV. Effective Date: This policy shall be effective on July 1, or January 1, whichever arrives first after final approval (see FSH 1460 D) unless otherwise specified in the policy.

If not a minor amendment forward to: __________________________________________
BYLAWS OF THE FACULTY OF THE COLLEGE OF GRADUATE STUDIES

PREAMBLE: This section contains the bylaws of the faculty of the College of Graduate Studies, including the criteria and application process for membership in the graduate faculty. This current version of the bylaws of the College of Graduate Studies was adopted by the graduate faculty as of July, 1995 (replacing a version that had remained substantially unchanged from the 1979 Handbook). Further information may be obtained from the College of Graduate Studies (208-885-6243).

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ARTICLE I--NAME, OBJECT, AND AUTHORITY.

Section 1. Name. The faculty of the College of Graduate Studies, a constituent faculty, is designated hereinafter as the "graduate faculty."

Section 2. Object and Function. The object of the graduate faculty is to give emphasis to graduate instruction and related research and to function as follows: to maintain an overview of the program and procedures of graduate instruction and of the environment created by the university for research, to establish academic regulations for graduate study, and to review proposed graduate curricula.

Section 3. Authority. As provided in the constitution of the university faculty [see 1520 I-4-A], this constituent faculty is authorized to establish and effect its educational objectives, including matters of student admission and curriculum, and to participate in the selection of its dean, other executive officers, and faculty members, subject only to the general rules and regulations of the university faculty and the authority of the president and the regents.

ARTICLE II--MEMBERSHIP.

Section 1. Graduate Faculty. The graduate faculty is constituted of those who meet the criteria for graduate faculty membership. To be eligible for membership on the graduate faculty, a UI faculty member must 1) hold a terminal degree, or commensurate professional experience, in the field of his/her research specialty; 2) have the recommendation of the administrator of the unit in which the faculty member has his/her primary appointment; and 3) be approved by the dean of the College of Graduate Studies. Eligible faculty must hold one of the following academic ranks as defined in the Faculty-Staff Handbook, Section 1565 D-2 Faculty, D-3 Research Faculty, D-4 Extension Faculty, D-8 Distinguished Professor, and D-9 Clinical Faculty. The rank of D-5, Librarian, D-6, Psychologists or Licensed Psychologists, and D-7, Officer Education, are not eligible for Graduate Faculty Membership but may be eligible to serve on a graduate committee. Instructors and Senior Instructors, D-1, are not eligible for graduate faculty or to serve on a graduate student committee. These criteria may be waived at the discretion of the dean of College of Graduate Studies. [rev. 7-13]
Section 2. Member Privileges. A member of the graduate faculty has the privilege of: serving as a representative to Graduate Council, participating in the election of a representative from his or her college graduate faculty to serve on the Graduate Council (according to each college’s bylaws), voting on matters concerning the programs and regulations of the College of Graduate Studies, and serving as major professor of a graduate committee. No graduate faculty member shall chair a graduate program committee for a degree higher than the earned degree held by that faculty member. [rev. 7-13]

ARTICLE III. MEMBERSHIP REVIEW. [add. 7-13]

Section 1. To maintain membership on the graduate faculty, a member must continue to meet the membership criteria. The Graduate Council will determine continued membership of a faculty member who does not meet the expectations described in his/her position description for three consecutive years (overall evaluation score of 2 or lower) or if there is other evidence that a member is not meeting the membership criteria, or if a member has been found to have committed an ethical violation or research misconduct (see Section 2 below). A review may be initiated by the administrator of the member’s unit, by the college dean of the college in which the primary appointment is held, by the dean of the College of Graduate Studies, or by the Graduate Council.

Section 2. Any violation of professional ethics or finding of research misconduct, as defined by the Faculty-Staff Handbook, will be cause for review or may be cause for revocation of graduate faculty membership, as the Graduate Council may determine.

Section 3. When reviewing graduate faculty membership, the Graduate Council should consider the faculty member’s position description and the following: 1) publication of a scholarly book published by a refereed press, or a quality refereed (jured) scholarly work; 2) successful direction of graduate students to completion of their degrees; 3) contribution to or invitation to make presentations at international/national/regional/professional conferences; 4) teaching of formal graduate courses, exclusive of independent study/research; 5) receipt of research funding; and 6) other scholarly, creative, or community contribution activities verified by the administrator of the unit to be of equal standing to any of the above.

Section 4. Any appeal of a Graduate Council decision regarding graduate faculty membership will be forwarded to the Faculty Appeals Hearing Board (FSH 1640.43).

ARTICLE IV -- OFFICERS. The dean of the College of Graduate Studies serves as the chair of the graduate faculty and of the Graduate Council; the assistant or associate dean serves as vice chair of these bodies. The secretary is appointed by the dean with the concurrence of the Graduate Council. [ren. 7-13]

ARTICLE V -- MEETINGS OF THE GRADUATE FACULTY. [ren. & ed. 7-13]

Section 1. Call of Meetings. A meeting of the graduate faculty may be called at the discretion of the dean or, in his or her absence, by the assistant or associate dean. Meetings must be called at the earliest convenient time on the request of the Graduate Council or on the written petition of 10 members of the graduate faculty. [ed. 7-13]

Section 2. Quorum. Those members of the graduate faculty present at a meeting properly called in accordance with this article constitute a quorum.

Section 3. Agenda. The dean is responsible for the agenda and causes it to be issued at least one week before each meeting of the graduate faculty. The agenda lists all subjects, other than routine matters, to be voted on by the graduate faculty.

ARTICLE VI -- GRADUATE COUNCIL. [ren. 7-13]

Section 1. Function. The Graduate Council is the representative body of and is empowered to act for the graduate faculty, to which the constitution of the university faculty delegates those responsibilities stated in these bylaws, article 1, section 3, as a constituent faculty of the university. The council is responsible to and reports to the graduate
ARTICLE VII--COMMITTEES.

Section 1. Standing Committees.

The College of Graduate Studies, Graduate Council, and the departments, colleges, and campuses are authorized to establish standing committees. Standing committees are appointed by, and the chair is appointed by, the College of Graduate Studies. Special or ad hoc committees are appointed by the dean in consultation with the Graduate Council. [rem. 7-13]
ARTICLE X—AMENDMENTS. These bylaws may be amended by a two-thirds vote of the voting members of the graduate faculty, as defined in article II, section 1, above, in attendance at a properly called meeting. Amendments that conflict with any provision of the constitution of the university faculty or with regents' policies are without effect. Proposed amendments must have been published in full in the agenda at least one week before the meeting of the graduate faculty or presented in writing at the meeting previous to the one in which the vote is to be taken. No provision of this article may be suspended. [ren. 7-13]