University of Idaho  
2007-2008  
FACULTY COUNCIL AGENDA  

Meeting #9  

3:30 p.m.  
Tuesday, October 23, 2007  
Ag & Life Science 104; Boise 450C, CDA 112A; IF4 (TAB321b)  

Order of Business  

I. Call to Order.  

II. Minutes.  
   • Minutes of the 2007-08 Faculty Council Meeting #8, October 16, 2007  

III. Chair’s Report.  

IV. Provost’s Report.  

V. Other Announcements and Communications.  

VI. Committee Reports.  
   Committee on Ethical Guidance and Oversight (Michael O’Rourke and Sharyl Kammerzell)  
   FC-07-050 (Rev0708): FSH 3170 – University Ethics  
   FC-07-051a (Rev0708): FSH 6240 – Conflicts of Interest or Commitment  
   FC-07-051b (Rev0708): FSH 6240 – Form A: Disclosure of Conflicts  
   FC-07-051c (Rev0708): FSH 6240 – Form B: Disclosure of Outside Employment  
   FC-07-052 (Rev0708): FSH 6241 – Nepotism  
   FC-07-053 (Rev0708): FSH 6242 – Organizations and Oaths  
   FC-08-011a: FSH 3260 – Professional Consulting and Additional Workload  
   FC-08-011b: FSH 3260 – Form A  
   FC-08-011c: FSH 3260 – Form B  
   University Curriculum Committee:  
   FC-08-007: NOI: CNR (minor name change) Timber Harvesting to Forest Operations  
   FC-08-008: Regulation B-13: Registration in Joint-Listed Courses  
   FC-08-009: Regulation J-9-a: Academic minor credit change  
   FC-08-012: Registration Change for Student Athletes  

VII. Special Orders.  

VIII. Unfinished Business and General Orders.  

IX. New Business.  

X. Adjournment.  

Professor Don Crowley, Chair 2007-2008, Faculty Council  

Attachments:  
Minutes of 2007-2008 FC Meeting #8, October 16, 2007  
Ethical Guidance Cover Memo  
FC-07-050-53 & FC-08-011a,b,c: Ethical Guidance and Oversight Policies  
FC-08-007: NOI: CNR (minor name change) Timber Harvesting to Forest Operations (previously sent)  
FC-08-008: Regulation B-13: Registration in Joint-Listed Courses (previously sent)  
FC-08-009: Regulation J-9-a: Academic minor credit change (previously sent)  
FC-08-012: Registration Change for Student Athletes
A quorum being present, chair Crowley called the meeting to order at 3:30 p.m. in AgSci 104. It was moved and seconded (McCaffrey, Odom) to accept the minutes as distributed. The motion carried with one abstention.

Chair’s Report: The chair thanked council members for their contributions to Sandra Haarsager’s memorial. He reported that her husband had told him that Faculty Council had been one of her priorities. Her death of course meant that there was a vacancy on the University Budget and Finance Committee which needed to be filled. It was moved and seconded (McCollough, McCaffrey) to nominate Professor James Murphy to fill Professor Haarsager’s unexpired term. Professor Murphy was elected by acclamation.

Professor Munson had been forced to resign his seat on council because of a contract awarded to him by the Office of the Secretary of Defense, leaving a vacancy on the Campus Planning Advisory Committee. This is a committee that is likely to be interestingly busy in the near term as plans for infrastructure renewal take shape in the wake of the board’s authorizing a bond sale for that purpose. The chair asked that council think about possible replacements and come back next week prepared to elect someone.

The chair also announced that the faculty secretary would be completing his term of service at the end of this academic year. Thus the council would need to form a search committee to seek a replacement. Professor Guilfoyle would chair the committee and the provost would be a member. There would need to be three additional members from the council. Professors McCaffrey, McDaniel, and Mihelich agreed to serve. The hope is to nominate a slate of possible candidates to the president for his consideration by the end of the semester so that the person the president appoints would know of his or her new assignment before next year’s course assignments were made.

The chair noted that he had received several e-mails concerning the new health benefits options and knew that other members had also. The questions coming to him were not of the “what is the best choice for me to make” kind but rather about the process of decision on the options. After some discussion the council agreed that it would be good to wait to see if the information that would be forthcoming very soon from Human Resources answered those questions or whether it would be good to set aside a time when the council could host an open forum on the topic.
Finally, there was a further question that had come to his attention about on-line final exams that were scheduled for Saturday, December 25th, which was, technically at least, after the last day of the semester. He said he would check with the registrar and report back.

**Provost’s Report:** The provost reminded the council that the NWCCU accrediting team would be on campus this week. There was an open meeting for faculty to meet with them set for Thursday at 8:00 a.m. He also reported that a number of colleges had submitted draft strategic action plans and those drafts were currently being reviewed by the four strategic action goal teams. There would be in upcoming weeks a series of articles published in the Register, authored by the provost or president, about the strategic plan. One of the goals of course of the strategic plan was the renewal of the university’s human capital. To further that end a chairs’ group had been created that was meeting for the first time even as he spoke. He would be leaving council before the end of the meeting so as to be able to join them briefly.

**Committee Appointments:** Professor Guilfoyle, chair of the Committee on Committees, brought as a seconded motion from the Committee on Committees certain replacement committee appointments and student committee appointments nominated by ASUI. The motion carried unanimously on a voice vote.

**University Paper Management:** Professor Gary Machlis made a presentation to the council concerning paperwork. He noted that the collection of information was often necessary but that requests for information had grown and were growing exponentially and much of what was asked was unnecessary, even frivolous, or actually harmful. The growth in paperwork was often laid at the feet of the federal government and its requirements but that is not always true. Both the Department of Education and NSF have actually reduced their paperwork demands, at least marginally.

He suggested that the council push to create an information collecting policy for the university (as had been established by other institutions). The burden should be on those who ask for information to demonstrate that the information they are asking is properly authorized, to demonstrate that it will be used only as authorized, and to spell out the actual burden of the collection effort.

At the conclusion of Professor Machlis’ presentation, Professor Crowley suggested there were three options for proceeding: forming a special subcommittee of the council to further look into this matter, send it to Faculty Affairs, or do nothing. After some discussion, Professors Karen Guilfoyle, Cinda Williams, and Jack Sullivan agreed to serve on an ad hoc committee. Dan Noble, chair of the Staff Affairs Committee volunteered two staff members to join with the members of Faculty Council, and the student representatives had offered up the chair of the ASUI’s sustainability program. It was moved and seconded (Miller, Mihelich) to form such a committee. The motion carried unanimously on a voice vote.

**FC-08-010: FSH 3730: Retirement Privileges and Programs (emergency policy):** Kent Nelson, General Counsel, Paul Michaud, Assistant Vice President of Human Resources, and Linda Peavey, Director of Benefit Services explained the history of these proposed changes which were coming to council as a seconded motion from Faculty Affairs. Because of the time
constraints in creating the extensive revisions to this section that council, and subsequently the university faculty and the president, had approved last spring, certain needs for clarification had been overlooked. The president had inserted these clarifications in the policy, under the provisions of FSH 1460 C-3, as an emergency policy and now the administration was asking for council’s concurrence. The motion carried unanimously on a voice vote.

Report on Athletics: Rob Spear, Athletic Director, thanked council for the opportunity to bring council up to date on a number of issues pertaining to the university’s intercollegiate athletic program. He noted the creation of a faculty focus group (Don Tyler, Hans Kok, Howard Peavy, Larry Forney, July Fodor, Torrey Lawrence, and Wendy McClure to provide feedback to the program. He also noted the creation of a program of interviews with the deans of the colleges as part of the half-time program at football teams: an attempt by athletics to promote the academic side of the institution. His own newsletter also now included material on academic programs at the university as well as the usual mix of specifically athletic news. There were opportunities for individual faculty and graduate students to promote their research with displays on the concourses during basketball games. Spear asked for the council’s assistance in spreading the word to others of this opportunity.

After six years the university had graduated 54.4% of its entering freshman as a whole but 61.7% of those who were varsity athletes had graduated. Some 92% of athletes who completed their eligibility eventually graduated. The goal, of course, was to make 100%. Except in football and men’s basketball we are very competitive right now in our league.

Turning to financials, he said he hoped to be able raise the athletic budget to the average of the budgets in the league: that would mean an increase of some $2 million. Since state and university contributions were already at their caps, the department needed to look outside for increased revenue: e.g., a new TV contract, its annual fund drive, and ticket sale guarantees such as were provided by the USC game.

Another area where we need to grow to be competitive was with facilities. The Kibbie-ASUI Dome “has challenges.” There were significant life-safety issues as well as “game day experience” issues. Since the dome was used 78% of the time by non-athletic users, any changes would have to be compatible with those uses as well as with athletic ones. It would take $16 million to fix the life-safety issues, part of which would be coming out of the university’s recent bonding, and $30 million for “game day experience” upgrades (e.g., creating club sections and boxes, lowering the floor to create better sight lines).

Adjournment: The hour of the meeting’s scheduled conclusion having arrived, it was moved and seconded (McDaniel, Odom) to adjourn. The motion carried unanimously and the meeting was adjourned at 5:02 p.m.

Respectfully submitted,
Douglas Q. Adams,
Faculty Secretary and Secretary to Faculty Council
MEMORANDUM

October 16, 2007

TO: Faculty Affairs Committee
FROM: Gene Merrell and Sharyl Kammerzell on behalf of the Committee on Ethical Guidance and Oversight (Committee)
Re: Draft New and Revised Policies on Ethics, Conflict of Interest, Nepotism, Organization and Oaths, and Consulting

This cover memorandum provides an update and background for these new and amended policies, which the Committee first presented to Faculty Council on April 3, 2007.

As you may recall, the ad hoc Committee bringing these policy changes forward was formed in June 2005, by President White. Committee members include:
- Patricia Hartzell, Professor and Department Head, MMBB
- Michael O’Rourke, Associate Professor of Philosophy
- Sharon Stoll, Professor and Director of the Center for Ethics (replaced Troy Ott, Associate Professor of Animal Science)
- Paul Michaud, Assistant Vice President for Human Resources (replaced Pat Sturko, Interim AVP)
- Andrew Turner, Professor and Director of WWAMI
- Gene Merrell, Associate Vice President for Research, chair (replaced Charles Hatch, VPR and former chair)

And staff to the committee:
- Sharyl Kammerzell, Senior Associate General Counsel
- Dolores Salesky, Internal Auditor

President White charged the committee with reviewing, revising, and developing policies on conflicts of interest, nepotism and ethical conduct. Last spring we brought draft policies before Faculty Council. Faculty Council suggested some edits and voiced general support for the policies, but asked that we also seek input from Staff Affairs and Faculty Affairs. We presented the draft policies to Staff Affairs on September 6, 2007 and to Faculty Affairs on October 3, 2007. The drafts before you show changes made to the proposed policies in response to comments from Faculty Council last spring, and from Staff Affairs and Faculty Affairs.

Please note that this package includes one more policy section than the package presented last spring: FSH 3260. We discussed with Faculty Council in April the need to make changes to this section to insure that it would be consistent with the other changes, and we have presented the proposed FSH 3260 amendments to Faculty Affairs and Staff Affairs.

The policy package contains five polices and three associated forms as follows:
FSH 3170: This is currently titled “Professional Ethics” in the attached draft it is renamed to “University Ethics.” Beginning with the existing text, the committee subdivided this policy into sections that set out statements of ethics with respect to instruction and scholarship, rules of ethical conduct and reporting of unethical behavior. The reorganization reflected between the two drafts is in response to comments from Faculty Council. The section that sets out rules of ethical conduct is accompanied by guidelines that are intended to provide examples and that will be hotlinks when the policy is on-line.

FSH 3260: This is currently titled “Professional Consulting and Workload.” Changes were made to this policy to make it consistent with the changes made to FSH 3170 and 6240, to reduce redundancy and to reflect organizational changes. The changes to this policy also resulted in revisions to the request form for outside consulting and to the reporting form, which was combined with the reporting requirements in FSH 6240. Attached forms include:
  - Form 3260 A: Request to Engage in Professional Consulting
  - Form 3260 B/ 6240 B: Disclosure of Outside Employment and/or Consulting

FSH 6240: This is currently titled “Employee Rights and Responsibilities,” and includes sections on Conflict of Interest, Employment of Relatives, Loyalty Oaths and Professional and Labor Organizations. The Committee separated out the various sections of the policy, and proposes to change the title of FSH 6240 to “Conflicts of Interest or Commitment.” In the revised 6240, the Committee sought to provide a more comprehensive policy on conflicts, addressing both conflicts of interest and commitment, classing potential conflict situations into those that are routinely allowable, those that may be allowable follow disclosure and establishment of a management plan if necessary, and those that presumptively are not allowed. The changes also establish an annual disclosure process. To allow for consistency in disclosure the Committee developed the following two forms:
  - Form 6240 A: Disclosure of Conflicts
  - Form 6240 B/ 6240 B: Disclosure of Outside Employment and/or Consulting

FSH 6241: This is a newly numbered policy that builds from the “Employment of Relatives” section that is in the current FSH 6240. The revised policy differentiates between situations involving direct and indirect supervision or control, explicitly prohibits direct nepotism, and sets guidelines for situations involving indirect supervision.

FSH 6242: This is a newly numbered policy that retains the text from the “Organizations and Oaths” section in current FSH 6240.
UNIVERSITY ETHICS

PREAMBLE. As teaching, research, and educational outreach constitute the primary mission of the University, all members of the university will work to maintain an environment conducive to learning, scholarship, and service. All employees of the UI are also subject to the Conflicts of Interest and Ethical Conduct Policy of the Regents. This policy can be reviewed at the following website: http://www.idahoboardofed.org/policies/.

I. ETHICS

A. Within the University community, all participants have rights and obligations to uphold the functionality, dignity, and harmony of the University. This policy sets out the expectations and requirements of employees regarding ethical behavior and actions. Collectively, the policy and referenced related policies allow employees to take actions that are consistent with the institution’s core values and that move the institution towards its vision and goals. All UI employees shall work to maintain an environment conducive to research, learning and service, and all employees have an recognize their integral contribution to providing a high quality learning environment. All UI employees accept their share of responsibilities for the governance of the institution. They respect the rights of students and fellow employees. When they speak or act as private persons, they avoid creating the impression that they speak or act for their college or the university. They adhere to the stated regulations/policies of the institution (provided they do not contravene academic or constitutional freedoms), they maintain their right to criticize and seek revision. They determine the amount and character of the work they do outside their institution with due regard to their paramount responsibilities within the University. [See FSH 3260.] When considering the interruption or termination of their service, they recognize the effect of their decisions upon the programs of the institution and give due notice of their intentions. [See FSH 3940.]

A. Ethics in Instruction

All individuals engaged in teaching a course at the University of Idaho seek to promote the acquisition of knowledge and the expression of creativity. They seek to be effective teachers and present the accepted scholarly standards of their discipline. They demonstrate respect for the student as a person and adhere to their proper role as intellectual guide and counselor. They make every reasonable effort to foster honest academic conduct and thoroughly evaluate student performance. They respect the confidential nature of the relationship between professor/instructor/TA and student. They do not exploit the student for their private advantage, and acknowledge significant assistance when it is received. They protect the student's academic freedom.

B. Ethics in Scholarship

All individuals engaged in scholarly activity are to practice honesty and integrity in the pursuit of knowledge and creative expression. Their primary responsibility to their discipline is to seek and state the truth as they see it. To develop and improve their scholarly competence, they exercise critical self-discipline and judgment in using, extending, and transmitting information. In the exchange of criticism and ideas, they show due respect for the opinions of others and strive to be objective in their professional judgment of colleagues. As citizens engaged in a profession that depends upon freedom for its health and integrity, scholars (students, technicians, and faculty members) have a particular obligation to promote conditions of free inquiry and expression, and to further public understanding of academic freedom. They practice intellectual honesty and do not engage in plagiarism, fabrication, or deception. Subsidiary interests must never seriously hamper or compromise their freedom of inquiry.

II. ETHICS GUIDANCE AND REPORTING

A. Ethics Guidance
This policy is intended to inform UI employees of institution policies and administrative procedures that are expected to guide behavior, attitudes, and actions. Collectively, they allow employees to take actions that move the institution towards its vision and goals that are consistent with its core values.

B—Ethics Reporting

As state employees, UI faculty and staff recognize their responsibility to report unethical behavior when it is encountered. UI employees can confidentially report concerns about suspected issues of illegal, unethical or irresponsible acts. Information regarding the confidential reporting line may be accessed from the UI home page or directly from the following web site: http://www.uihome.uidaho.edu/hotline, or from the office of Internal Audit.

II. RULES

III. PRINCIPLES OF ETHICAL CONDUCT

CONTEXT STATEMENT. The purpose of Rules and Principles of Ethical Conduct is to establish and maintain high standards of honesty, integrity, and quality of performance for all employees of the University of Idaho. Individuals in public universities have positions of trust and responsibility that require observation of the highest ethical standards. Ethical conduct is of critical importance in our relationships with the public, students, other employees and agencies, and private contractors. The Rules and Principles of Ethical Conduct are intended to establish a general baseline for ethical conduct; they are not intended to be inclusive of all conduct. Guidelines are provided for each of the Rules and Principles. These guidelines are offered as examples of the issues discussed in their respective sections. They are not presented as policy and do not replace approved policy in evaluating issues of ethics and professional conduct.

A. Integrity and Quality

The University must operate with integrity that includes, but is not limited to, operating in compliance with laws and regulations and its contractual obligations.

Guidelines: Integrity and Quality

B. Adherence to Law

Employees are responsible for becoming familiar with the laws and regulations pertinent to their areas of responsibility. Many but not all legal requirements are embodied in University policies. Failure to comply with laws and regulations can have serious adverse consequences both for the individuals and for the University, in terms of reputation, finances, and the health and safety of the community.

University business is to be conducted in conformance with applicable legal requirements, including contractual commitments undertaken by individuals authorized to bind the University to such commitments. Failure to do so will be grounds for disciplinary action up to and including termination of employment.

UI’s rules and procedures can be reviewed in the Faculty Staff Handbook: http://www.webs.uidaho.edu/fsh/ and the Administrative Procedures Manual: http://www.uihome.uidaho.edu/apm.

Guidelines: Adherence to Law

C. Conflicts of Interest and Commitment

1. Conflicts of Interest refers to situations in which financial or other personal considerations may directly and significantly affect an employee’s professional judgment in exercising any University duty or responsibility. Employees are expected to avoid conflicts of interest unless such conflicts are disclosed and managed in accordance with the Universities policies. [See FSH 6240.]

2. Conflicts of Commitment refers to situations where an individual’s distribution of effort between one’s university appointment and one’s outside activities may directly and significantly affect an employee’s ability to perform their university responsibilities in teaching, research and public service. Employees are expected to arrange outside activities and financial interests so as not to interfere with the primacy of these University duties. [See FSH 6240.]
Guidelines: Conflicts of Interest and Commitment

D. Privacy and Confidential Information

No employee shall disclose confidential records or information or use such information for his or her personal benefit. The collection, retention, and dissemination of university records is subject to federal law, including the Family Educational Right to Privacy Act (FERPA), and state law, including regulations, the Idaho Public Records Law, and university policies. [See FSH 2600 for information regarding FERPA.] Confidential information may include but is not limited to personnel information, proprietary information, education records under FERPA, and information identified as confidential.

Guidelines: Privacy and Confidential Information

E. Discrimination and Sexual Harassment

The university must strive to maintain a learning and working environment that is safe, supportive, and responsible. Discrimination and sexual harassment toward any member of the university community violates federal and state laws and the policies of the University of Idaho. [See FSH 3200, 3210, 3215, and 3220] Incidents of discrimination and sexual harassment should be reported to the appropriate university administrator identified in the policies.

Guidelines: Discrimination and Sexual Harassment

F. Nepotism

UI employees may not give preferential treatment to individuals based on familial or other relationships, nor participate in institutional decisions involving a direct benefit to a family member. [See FSH 6241.]

Guidelines: Nepotism

G. Use of University Resources

Employees of the university have a responsibility to be financial stewards of the public resource. They are responsible for implementing, maintaining, and following proper administrative and accounting procedures, and for complying with all relevant governmental and regulatory requirements.

Guidelines: University Resources

H. Control and Security of University Assets

Employees of the university have a responsibility to maintain control and security of university assets. They are responsible for their use and protection including reporting requirements.

Guidelines: University Assets

I. Contracting Requirements

The UI enters and engages in multiple contracts and agreements to carry out its role and mission. Employees are responsible for being familiar with the various types of contracts, agreements, and memoranda of understanding that they use in the performance of their duties, and for obtaining the necessary review and approval for said contracts. [See APM Chapter 60 and State Board of Education/Board of Regents Policy and Procedures Manual (Board Policy), Section V.]

Guidelines: Contracting

J. Political Campaigns and Elections
An employee shall not use institutional time, funds, equipment, or other resources to run for an elected office, work on a political campaign or to influence the passage or defeat of legislation. [See FSH 6220]

Guidelines: Political Campaigns and Elections

K. Gifts

University employees concerned with contracts and pecuniary transactions, or who influence the allocation of business or exercise administrative decision making authority must be particularly careful to avoid actions that create the appearance of favoritism or that may adversely affect the University’s reputation for impartiality and fair dealing and may not accept any pecuniary benefit from persons interested in or likely to become interested in such action.

An employee may not accept a gift or business courtesy when a real or perceived attempt is being made to offer the courtesy in exchange for, or to influence favorable action by the University; motivate the employee to do anything prohibited by law, regulation, or University policy; or gain an unfair competitive advantage by improperly influencing an employee’s discretionary decisions.

Notwithstanding the above prohibitions, state law allows for public employees to receive trivial, incidental benefits not to exceed a value of fifty dollars ($50.00) provided that there is not substantial risk of undermining official impartiality. [See Idaho Code section 18-1356, and Board Policy Sections I.G. and II.Q.].

1. REPORTING UNETHICAL BEHAVIOR

As state employees, UI faculty and staff recognize their responsibility to report unethical behavior when it is encountered. UI employees can confidentially report concerns about suspected issues of illegal, unethical or irresponsible acts. Information regarding the confidential reporting line may be accessed from the UI home page or directly from the following web site: http://www.uihome.uidaho.edu/hotline, or from the office of Internal Audit. Credible reports to the confidential hotline or to the internal auditor shall be preliminarily investigated by the internal auditor or referred to another office, as appropriate. If the preliminary investigation results in cause to believe that there may be a violation of policy or law, the internal auditor shall either proceed to a full audit or refer the matter to general counsel for follow up.

Guidelines: Gifts

Guidelines, Section A: Integrity and Quality

• Rules of fairness, honesty, and respect for the rights of others shall govern the individual’s conduct at all times.

• No unethical practice will be tolerated on the grounds that it is “expedient” or “customary”.

Guidelines, Section B: Adherence to Law

• Inciting others to disobey university rules is unacceptable.

• Intentional disruption of university-sponsored or –authorized functions or activities is prohibited.

• Failure to comply with the terms and conditions of a grant or contract and its applicable laws and regulations after it has been accepted by the university, including sponsored project funding is unacceptable.

• Failure to adhere to good health and safety practices and comply with all environmental health and safety laws and regulations is unacceptable.

• All claims for reimbursement of expenses must be accurate and supported with all required receipts, and be related to official business.

Guidelines, Section C: Conflicts of Interest and Commitment
• An employee or any dependent member of his or her family may not have an interest in any organization that has, or is seeking to have, business dealings with UI where there is an opportunity for preferential treatment to be given or received, except (a) with written consent of the president or the president's designee or (b) in any case where such an interest comprises securities in widely held corporations that are quoted and sold on the open market or in private corporations where the interest is not material.

• An employee or any dependent member of his or her family may not sell or lease any kind of property, facilities, or equipment to UI or to any company, firm, or person that is, or is seeking to become, a contractor, supplier, or customer, except with written approval by the president or the president's designee.

• An employee may not serve as an officer or director of, or in any management capacity for, or as a consultant to, any company doing or seeking to do business with UI, except with written consent of the president or the president's designee.

• An employee, without proper authority, may not give or release to anyone not employed by UI any data or information of a confidential nature concerning UI, such as that relating to decisions, plans, financial or business forecasts, or competitive bids; or to use such information to personal advantage and not in the best interest of UI—for example, by acquiring or inducing others to acquire a financial interest in a company involved in, or that may become involved in, any transaction with UI that is not generally known to the public.

• An employee or any dependent member of his or her family may not accept from any organization, firm, or person doing or seeking to do business with UI commissions; a share in profits; gifts in cash; gift certificates or other payments, loans, or advances (other than from established banking or financial institutions); materials, services, repairs, or improvements at no cost or at unreasonably low prices; excessive or extravagant entertainment; or travel or gifts of more than nominal value.

• An employee will not engage in part-time employment or enter into a consulting agreement with another entity if that action detracts from the employee’s ability to fully perform their university responsibilities and maintain the primacy of their university duties.

• Employees should pay for their own share when dining out with suppliers and contractors to ensure that the employee remains impartial and does not feel obligated to the supplier or contractor.

• Offers from suppliers and contractors for company sponsored seminars, conferences, plant visits, sporting events, etc. should generally be avoided to ensure that ethical and proper business practices are not compromised.

• When there is any doubt as to the appropriateness of accepting a benefit, gift or other type of personal benefit, the matter should be referred to the employee’s supervisor for approval.

• Visits to vendor sites, both in-state and out-of-state, for educational purposes or specific technical training as part of contract procurement, are permissible with prior authorization from the employee’s supervisor.

Guidelines, Section D: Privacy and Confidential Information

• Breaching established rules governing confidentiality in personnel procedures is not acceptable.

• Posting or disseminating information from faculty or staff personnel records or student records or grades is not permitted.

• Posting or disseminating educational records, such as grades is not permitted.

Guidelines, Section E: Discrimination and Sexual Harassment

• Unwelcome sexual advances, requests for sexual favors, or other unwelcome verbal or physical conduct of a sexual nature when such behavior overtly or covertly uses the power inherent in the status of the offender is not acceptable.

• Sexual behavior that has the effect of interfering with a student’s learning environment or creating an intimidating, hostile or offensive work environment is not acceptable.

Guidelines, Section F: Nepotism

• An employee cannot provide preferential treatment or participate in decisions that impact individuals related by blood, marriage or adoption.

• An employee cannot provide preferential treatment or participate in decisions that impact an individual they intend to marry, with whom they intend to form a household, or with any other person having the same legal residence.

• An employee cannot provide preferential treatment or participate in decisions that impact an individual associated with a domestic partnership, dating or other personal relationship in which objectivity might be impaired.

Guidelines, Section G: University Resources
Equipment and Supplies – An employee shall not use university-issued or procured machines, office supplies, and other equipment for other than university business purposes. [See APM Chapter 10.40]

UI Vehicles – An employee shall not use any UI vehicle for any purpose other than official business of the institution. [See APM Chapter 5.9]

Employee Time – An employee may not use work time for personal business.

Institutional Credit Cards – An employee shall not use credit cards issued by the institution for personal expenses unrelated to institutional business.

Telephones, Cell Phones, and Electronic Mail – An employee shall use university telephones, cell phones, and e-mail for institutional purposes. Incidental use for local personal calls or messages not interfering with work responsibility, however, is not a misapplication of university resources. An employee shall not charge personal long distance telephone calls to the institution. [See APM Chapter 20.13, and direct link to computer use policy: http://www.uidaho.edu/policy/]

Internet – An employee’s access to the Internet via institutional computers is for institutional purposes. Incidental personal use not interfering with work responsibility, however, is not a misapplication of university resources. Improper or illegal use of the Internet by an employee may subject the individual to disciplinary action up to and including termination of employment. [See APM Chapter 20.13]

Software – Software licensed to the university is to be used for institutional purposes, not for an employee’s personal purposes, and only to the extent that the license authorizes loading and using the software on personal computers.

Guidelines, Section H: University Assets

Liability for Property Loss – When institutional property disappears, whether through theft or other cause, as a result of an employee failing to exercise reasonable care for its safekeeping, the employee shall be liable for the loss sustained by the institution. [See APM Chapter 25.01]

Guidelines, Section I: Contracting

Employees shall not personally sign contracts on behalf of the University unless they have written delegated signature authority from the President or the Vice President for Finance and Administration.

Consulting Contracts with Previous Employees – No funds shall be used to enter into a consultant contract with any individual who has been previously employed by the institution within the past 12 months unless approved by the President’s designee.

Purchases From/By Employees – An employee and their family members may not sell goods or services to the University unless the arrangement avoids any conflict of interest and is conducted consistent with University policy approved by the President’s designee. No employee may directly purchase equipment or property from a department or office within University. Sale of personal property is conducted by the University Surplus Property Office.

Guidelines, Section J: Political Campaigns and Elections

An employee will not engage in partisan political activities while on university time.

An employee will not use university materials or equipment for the purpose of influencing a political election of any sort.

Guidelines, Section K: Gifts

An employee should not ask for a business courtesy.

An employee may retain novelty, advertising, or promotional items with a market value of $50 or less, such as calendars, pens, and mugs, so long as such acceptance does not create a substantial risk of undermining impartiality. An employee may accept training opportunities provided by suppliers or customers if the training directly benefits the University, and if the training is offered to others on the same basis. Questions as to appropriateness of accepting training opportunities should be discussed with a supervisor.

An employee should avoid a pattern of accepting frequent courtesies from the same persons or companies.

An employee may not use their influence or authority to unduly pressure another employee or person to participate in gift giving.

An employee’s participation in gift giving is always voluntary and shall not exceed $50.

An employee cannot use University state appropriated funds to buy gifts.
CONFLICTS OF INTEREST OR COMMITMENT. In addition to the requirements set forth below, all employees of the UI are also subject to the Conflict of Interest and Ethical Conduct Policy of the Board of Regents, section IIQ, and to the Idaho ethics statutes applicable to public employees. The Board’s policy may be reviewed at http://www.boardofed.idaho.gov/policies/. The Idaho ethics statutes are set out in the Idaho Ethics in Government Manual, published by the Idaho Attorney General and available at http://www2.state.id.us/ag/manuals/index.htm. To the extent there is a conflict between this policy and the Board’s policy or the statutes, the statutes and the Board’s policy shall control, in order of authority.

A. Definitions

A-1. Conflicts of Commitment refers to an individual’s distribution of effort between one’s university appointment and one’s outside activities.

A-2. Conflicts of Interest refers to an individual’s involvement in activities in which financial or other personal considerations may directly and significantly affect, or have the appearance of directly and significantly affecting, an employee’s professional judgment in exercising any University duty or responsibility.

A-3. Apparent Conflict refers to an individual’s involvement in outside professional activities, outside employment, or personal direct or indirect financial or other interests, or acceptance of benefits from third parties that creates a can create actual or perceived conflicts between the University’s mission and an individual’s private interests, whether or not there is an actual conflict of commitment or interest. An appearance of conflict exists when a reasonable person would conclude from the circumstances that the employee’s ability to act in the University’s best interests or perform contractual obligations is compromised by outside interests. For example, an employee may have an outside business interest that appears to influence judgment in University decisions. There may not be an actual conflict, but the situation may have the appearance of compromising a person’s professional judgment.

B. Policy

Employees are expected to devote their primary professional, time and energy to the University and to the mission of teaching, research and public service. Outside activities and financial interests shall be reported an annual basis in accordance with this policy and must be arranged so as not to interfere with the primacy of these University duties.

B-1. Employees shall avoid situations that may result in a conflict of interest or commitment with that have the potential to directly and significantly affect the University’s interests, compromise objectivity in carrying out University responsibilities, or otherwise compromise the performance of University responsibilities. Examples of prohibited conflicts are set out in section C-3. Situations. B-3. As provided below in section B-2, situations that may be managed to avoid conflict are set out in section B-2; such situations may proceed if approved in writing by the president or the president’s designee, and subject to an authorized management plan that prescribes the necessary steps and management to avoid the conflict.

B-2. University employees who have apparent conflicts are expected to disclose them in compliance with this policy. In all matters, employees are expected to take appropriate steps, including consultation if issues are unclear, to avoid both conflicts of interest and commitment and the appearance of such conflicts.
B-3. In furtherance of this policy, UI requires that, absent circumstances that warrant sole source contracting as set out by the University’s Purchasing Department, competitive bidding must be used in the procurement of materials, supplies, equipment, and contractual services over $5,000 in one time or cumulative value.

C. Conflicts of Interest or Commitment Activities Reporting Requirements. Activities that may involve conflict of interest or commitment fall into three general categories that differentiate relationships according to potential for adverse impact. These include but are not limited to:

C-1. Activities that are routinely allowable and are not required to be disclosed pursuant to this policy include:

a. Membership in and service to professional associations and learned societies; membership on professional review or advisory panels, presentations, participation in conferences, reviewing or editing scholarly publications, and service to accreditation bodies as long as they do not conflict or interfere with the timely performance of primary University duties. These activities are permitted even if they are performed for nominal honoraria or reimbursement of expenses, provided that payment or reimbursement is not in conflict with any other applicable University, State, or federal policy, rule or regulation.

b. Receiving royalties for published scholarly works and other materials or for inventions pursuant to the University's Patent and Copyright Policies.

C-2. Activities that may be allowable following disclosure and development of an authorized management plan, where necessary, the implementation of management plan procedures include but are not limited to:

1. Research Activities

   a. Participating in University research involving a technology owned by or contractually obligated (by license, option, etc.) to a business in which the individual or a family member has a consulting relationship that meets the definition of significant financial interest.

   b. Receiving through contract or gift University-sponsored research support (whether in dollars or in kind) for research from a business in which the individual or a family member has a consulting relationship that meets the definition of significant financial interest.

   c. Participating in University research involving a technology owned by or contractually obligated (by license, option, etc.) to a business in which the individual or a family member holds a significant financial interest, excluding a consulting relationship.

   d. Receiving, through contract or grant, research support under University auspices (whether in dollars or in kind) for research from a business in which the individual or a family member has a significant financial interest, excluding a consulting relationship.

   e. Assigning students, postdoctoral fellows, or other trainees to University projects sponsored by a business in which the individual or a family member has a significant financial interest.

   f. Serving on the board of directors or scientific advisory board of a business from which that individual or a family member receives research support under University auspices or with which the University has a substantial contractual relation know to the individual.

   g. Assuming an executive position in a not-for-profit business engaged in commercial or research activities in a field related to the individual’s University responsibilities.
2. Other Activities
   a. Possessing a significant financial interest in a business that competes with the services provided by the University as part of its academic, research, or training mission.

   b. Assuming an executive position having a significant financial interest in a for-profit business engaged in activities in an area related to one’s University responsibilities.

   c. Possessing a significant financial interest in a business that is in a field related to one’s University responsibilities.

   d. Engaging in any other activity that has the potential for creating a conflict of interest or commitment as defined above.

   e. Ownership of or equity in a corporation used solely for one’s consulting activities.

   f. Requiring or recommending one’s own or one’s related individual’s (as defined in FSH 6241) textbook or other teaching aids, materials, software, equipment, or the like to be used in connection with University instructional programs.

C-3. Activities that are presumptively not allowable include but are not limited to:

1. Public Disclosure Activities
   a. Accepting support for University research under terms and conditions that results be held confidential, unpublished, or significantly delayed in publication.

   b. Publishing or formally presenting results of research under University auspices, or providing expert commentary on a subject, without simultaneously disclosing any significant financial interest relating to such results or such subject.

   c. Unauthorized use of privileged information acquired in connection with one’s University responsibilities. This is not intended to apply to standard publication activity.

2. Administrative Responsibilities
   a. Taking administrative action in the course and scope of University responsibilities that is beneficial to a business in which the individual or a family member has a significant financial interest.

   b. Influencing the negotiation of contracts between the University and an outside organization with which the individual or a family member has a significant financial interest.

3. Other Activities
   a. Assigning or allowing the participation of students in any consulting relationship of the individual that meets the definition of significant financial interest.

   b. Making referrals of University work to an external business or professional office in which such individual or family member has a significant financial interest.
c. Associating one’s name or one’s work with an external activity in such a way as to profit monetarily by trading on the reputation or good will of, or implying sponsorship or endorsement by, the University. Mere identification of the University as one’s employer and of one’s position at the University is permitted, provided that such identification is not used in a manner that implies sponsorship or endorsement by the University.

d. Accepting or soliciting any gift favor, or service that might influence or appear to influence the employee in the discharge of his or her official duties, or that the employee knows or has reasonable cause to believe is being offered with the intent to influence their conduct. Notwithstanding this prohibition, employees may accept trivial benefits that are not in excess of $50.00 provided that such benefit is incident to personal, professional or business contacts and involves no substantial risk of undermining their impartiality.

D.C-4. Conflicts of Interest or Commitment Reporting and Approval Requirements.

D-1. Disclosure of Potential Conflicts: All employees are required to complete and submit a Disclosure of Potential Conflicts of Interest and Commitment Form (Form 6240A) on an annual basis whether or not the employee has any situation that presents an actual or potential conflict to disclose. Updated forms must be submitted throughout the year within 30 days of any change that arises that may either create or give rise to a potential conflict, or eliminate a potential conflict previously disclosed.

1. Employees without potential conflicts: All employees shall complete the disclosure form (Form 6240A) on an annual basis. If an employee does not have any actual or apparent conflicts to report, then the employee shall complete the form and submit the signed form to Human Resources with a copy to their supervisor or department head/chair.

2. Employees with potential conflicts: Any employee who has an actual or apparent conflict of interest or commitment to disclose must include a proposed management plan with the submission of their completed disclosure form to their supervisor or department head/chair. The proposed management plan must be reviewed and signed off on by the supervisor and the dean or unit head, and submitted to the Committee on Ethical Guidance and Oversight. The committee shall review the proposed plan and make a recommendation to the president or the president’s designee as to whether to approve the proposed plan and allow the situation to proceed under the management plan. The president or president’s designee shall make the final decision of whether to approve a proposed plan. The committee during its review shall work with the employee and the employee’s supervisor and/or unit head or dean to amend the proposed plan as needed. The management plan must be approved by the president or president’s designee prior to any party thereto implementing any part of a proposed plan.

D-2. Disclosure of Outside Employment and Consulting: All employees who work more than 20 hours per week for the university and who have outside employment of more than 20 hours per week or who perform consulting for compensation, pursuant to FSH 3260, must complete the Disclosure of Outside Employment or Consulting form (Form 3260B/6240B on an annual basis. An updated Form 3260B/6240B must be submitted throughout the year if a person accepts outside employment or consulting.

D-3. Both disclosure forms are available at the following website(s) [insert].

D-4. The membership and staff of the Committee on Ethical Guidance and Oversight shall be appointed by the president. Membership of the Committee shall be made up of a minimum of four faculty members and two staff members. Committee members shall serve a term of three years, and may be appointed to consecutive terms. Staff to the committee shall serve as directed by the president.
FORM 6240A – **ANNUAL** Disclosure of Conflicts

This form will be treated confidentially. You must complete this form annually and within 30 days of any changes that may give rise to potential conflicts or eliminate potential conflicts previously disclosed. University of Idaho FSH Policy 6240 Conflicts of Interest or Commitment is available at http://www.uidaho.edu/xxx. If you have any questions about the form or about specific potential or actual conflicts of interest, please contact your supervisor/department head/chair or the Chair of the university’s Ethical Guidance and Oversight Committee. Disclose outside employment for compensation of more than 20 hours/week by completing FORM 6240 B – Disclosure of Outside Employment or Consulting for Compensation.

**EMPLOYEE INFORMATION**

Name ____________________________________________ Department ________________________________

Vandal No.________________________________________ Position Title _______________________________

Campus Phone No. _________________________________ Email Address ______________________________

☐ I DO NOT have any conflicts of interest, conflicts of commitment or apparent conflicts to report. Please sign and date this form and submit it to Human Resources with a copy to your supervisor/department head/chair (does not require supervisor/department head/chair review).

☐ I DO have conflicts of interest, conflicts of commitment or apparent conflicts to report. Please sign and date this form and submit it to your supervisor/department head/chair along with separate pages describing a plan to manage each conflict or apparent conflict.

---

**Employee Conflicts of Interest Disclosure**

By signing here, you are certifying that the information that you provide herein this form is accurate to the best of your knowledge as of the date of your signature, and you commit to providing an updated form to your supervisor if a material change occurs in the information you have provided.

Signed _______________________________________________ Date _________________

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**COMPLETE THE SECTIONS BELOW ONLY IF THE EMPLOYEE REPORTED A CONFLICT**

**Supervisor Review** – required only for those reporting conflicts or apparent conflicts

☐ I concur with the employee’s conflict(s) and the plan(s) to manage the conflict(s).

☐ I do not concur with the employee’s management of one or more conflicts. Attached are my reasons for not concurring.

Department Chair / or Unit Supervisor / or Institute Director __________________________ Date ____________

**Unit Head Review** – required only for those reporting conflicts or apparent conflicts

☐ I concur with the supervisor’s review.

☐ I do not concur with the supervisor’s review. Attached are my reasons for not concurring.

Dean / or Unit Head __________________________ Date ____________

**Committee Action** – required only for those reporting conflicts or apparent conflicts

☐ I concur with the Unit Head’s review and actions.

☐ I do not concur with the Unit Head’s review and actions. Attached are the required actions.

Chair, Ethical Guidance and Oversight Committee __________________________ Date ____________

- Copy to employee, employee’s unit supervisor or employee’s unit head, and human resources
- Original document on file in the office of the chair of the Ethical Guidance and Oversight committee, campus zip: 3010 Committee
**FORM 3260B/6240B ANNUAL Disclosure of Outside Employment (20 hours/week or more) or ANY Consulting for Compensation**

**FORM 6240B - Disclosure of Outside Employment (20 hours/week or more) or Consulting for Compensation**

Name _________________________________________________    Department ______________________________________________

Vandal No. _____________________________________________   Position Title _____________________________________________

Please provide the following information for all non-University of Idaho employers that are providing you compensation.

<table>
<thead>
<tr>
<th>Outside Employer</th>
<th>Period of Employment</th>
<th>Estimated Hrs Per weekMonth</th>
<th>Nature of Outside Employment and its Relationship to the University</th>
</tr>
</thead>
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**Employee Disclosure of Outside Employment**

By signing here, you are certifying that the information that you provide in this form is accurate to the best of your knowledge as of the date of your signature, and you commit to providing an updated form to your supervisor if a material change occurs in your compensation from outside employment.

Signed _______________________________________________ Date _________________

**Supervisor Review**

The supervisor’s signature here reflects that he or she has reviewed this form.

Department Chair / or Unit Head / or Institute Director Date

- Copy to employee, supervisor or unit head, and human resources
- Original document on file in the office of the chair of the Ethical Guidance and Oversight committee, campus zip: 3010
NEPOTISM. No preferential treatment will be afforded to individuals based on relationships that may place undue or inappropriate influence on terms and conditions of employment.

A. Definitions.

1. “Relationship” is defined as individuals related by (a) blood, marriage, adoption; (b) a person a public employee intends to marry, or with whom the public employee intends to form a household, or any other person having the same legal residence as the public employee; (c) domestic partnership, dating or other personal relationship in which objectivity might be impaired.

2. “Related individuals” are individuals who stand in a relationship as defined herein.

3. “Line of authority” is defined as authority extending vertically through one or more organizational levels of supervision or management.

4. “Work unit” is defined as department, division or any other unit or office.

B. Policy.

1. Direct supervision or control or line of supervision: Relationship to another individual employed by the University shall not constitute a barrier to hiring, promotion or reappointment provided that no employee is under the direct supervision or control or line of supervision of a related individual. No UI employee may function as judge or advocate in specific situations involving members of his or her immediate family (such as the employee’s spouse, child, parent, grandparent, brother, sister, mother-in-law, father-in-law, son-in-law, or daughter-in-law). Nor may any UI employee initiate or participate in institutional decisions involving a direct benefit (such as initial appointment, retention, promotion, salary, or leave of absence) to members of their immediate families.

2. Indirect supervision or same work unit: The University discourages indirect supervision of related individuals. A person may work under the indirect supervision of a related individual, or in the same work unit of a related individual provided that such personnel action is pre-approved by the Assistant Vice President for Human Resources under a management plan [FSH 6240]. In reviewing a proposed personnel action, the Assistant Vice President for Human Resources shall consider all aspects of the proposed action including, but not limited to, the effect on supervision, morale, safety, security, nature of job description and applicant pool, and any potential conflicts of interest. The University retains the right to refuse to appoint an individual to a position that results in indirect supervision by a related individual or related individuals working in the same work unit.
ORGANIZATIONS AND OATHS

A. Professional and Labor Organizations
B. Loyalty Oaths

A. PROFESSIONAL AND LABOR ORGANIZATIONS. UI employees have a right to join, without fear of reprisal, any professional association or labor organization, including those concerned with employee representation; even so, UI neither bargains with nor enters into work or employment contracts with such groups.

B. LOYALTY OATHS. No loyalty oath shall be required of any UI employee.
PROFESSIONAL CONSULTING AND ADDITIONAL WORKLOAD

PREAMBLE: One of UI’s objectives is to “apply the benefits of knowledge by making expert faculty available to individuals and organizations for consultation or research on problems in the state.” To maintain and increase the competence of faculty and staff members, the regents encourage professional consulting under the conditions outlined below. As used in this policy, “consulting” is defined to include any professional activity for which the person is paid that is external to UI or clearly beyond the assigned duties for which the employee is appointed and paid by UI. This section was original to the 1979 Handbook; only relatively minor changes have been added since that time and Section B on Regents Policy was added July 2002. Unless otherwise noted, the text is that of 1996. Further information may be obtained from the Provost’s Office (208-885-6448). [rev. 7-02]

CONTENTS:

A. Definitions
B. Policy
C. Institutional-Procedures and Requirements

A. Definitions
A-1. Consulting: As used herein shall mean any professional activity for which a UI employee is paid that is external to UI or clearly beyond the assigned duties for which the employee is appointed and paid by UI.

B. BASIC POLICY. Faculty and staff on full-time appointment owe their primary employment responsibility to UI. They are expected to fulfill, to the best of their abilities, the responsibilities established in their respective position descriptions. Full-time employment requires a work effort of at least 40 hours a week. No employee is to receive additional compensation from any source for work performed as a part of his or her regular full-time UI employment. [See also FSH 3170 B.] [ed. 7-99]

AB-1. Private Consulting. Consulting activity must have prior written approval by the employee’s departmental head or administrator-supervisor and dean or director/administrator consistent with section C herein, prior to initiation of the consulting activity. Each department must have a process for implementing this policy that has been approved by the dean of the college or the head of the unit. Approval of consulting activity may only be granted if the proposed activity satisfies the following criteria: [rev. 7-02]

a. It is compatible with the employee’s professional competence.

b. It does not constitute unfair competition with a similar non-UI service already available. (Fees charged should be commensurate with the professional standing and experience of the consultant.)

c. It will not impair, in quality or quantity, the performance of the employee’s assigned duties. (Full-time employees are expected to limit consulting to 39 days in an academic year or 48 days in a fiscal year—normally one additional day each week over the full-time commitment. This limitation does not apply to activities in which the employee engages during periods of vacation leave or on legal holidays, or during the summer for nine month appointments, or where actual practice in an employee’s professional field is required by the employee’s job description and any such practice has the approvals required herein.)

d. It does not involve the use of any UI supplies, equipment, or facilities, except as provided in a current agreement (further discussed in B-3) signed by the vice president for administration and finance.

e. The clients is informed that the faculty or staff member is acting as a private consultant and that UI is not a party to the contract, nor liable, nor responsible for the performance thereof.
f. It is not contrary to UI’s best interests.

g. It complies with the restrictions stated in FSH 3170 (University Ethics), including the Regents’ policy on conflict of interest and ethical conduct, and FSH 6240 (Conflicts of Interest or Commitment), including submission of all applicable disclosure forms under FSH 6240, and all other applicable University policies and procedures. (see below).

B. REGENTS POLICY.

B-1. In addition to the requirements set forth below, all employees of the UI are also subject to the Conflict of Interest and Ethical Conduct Policy of the Regents. This policy can be reviewed at http://www.idahoboardofed.org/policies/ and is quoted below.

B-2. General Principles of Ethical Conduct.

1. All employees of the institutions, agencies, school and office:

   a. shall not hold financial interests that are in conflict with the conscientious performance of their official duties and responsibilities.

   b. shall not engage in any financial transaction in order to further any private interest using nonpublic information of the Board, institution, school, agency or office.

   c. shall put forth honest effort in the performance of their duties.

   d. shall make no unauthorized commitments or promises of any kind purporting to bind the Board or any Board-governed entity.

   e. shall not use their public offices for private gain.

   f. shall act impartially and not give preferential treatment to any private or public organization or individual.

   g. shall protect and conserve public property and shall not use it for other than authorized activities.

   h. shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official duties and responsibilities.

   i. shall promptly disclose to their chief executive officer waste, fraud, abuse, or corruption in accordance with applicable law and policy.

   j. shall endeavor to avoid any actions that would create the appearance that they are violating the law or the ethical standards of the Board or the relevant Board-governed entity.

   k. shall disclose potential conflicts of interest to the chief executive officer, or designee, of the institution, agency, school or office, and avoid Conflicts of Interest, potential Conflicts of Interest, and circumstances giving rise to the appearance of a Conflict of Interest.

2. Conflict of Interest. A conflict of interest occurs when a person’s private interests compete with his or her professional obligations to the Board-governed entity to a degree that an independent observer might
reasonably question whether the person’s professional actions or decisions are materially affected by personal considerations, including but not limited to personal gain, financial or otherwise.

3. Consideration of Transactions

a. In the event that a person subject to this policy shall be called upon to consider a transaction involving a Board-governed entity and a person, entity, party, or organization with which the person is affiliated, as defined below, such person, as soon as he or she has knowledge of the transaction, shall:
   (i) disclose fully to the chief executive officer, or designee, the precise nature of his or her interest or involvement in the transaction and/or such organization, and (ii) refrain from participating in the institution’s, agency’s, school’s or office’s consideration of the proposed transaction.

b. Each person subject to this policy shall disclose to the chief executive officer, or designee, of the entity all relationships and business affiliations that reasonably could give rise to a Conflict of Interest because of the employee’s duties and responsibilities. This disclosure obligation is ongoing, and each employee has a duty to supplement or amend his or her disclosure when the employee knows that the disclosure was incorrect in a material respect when made or the disclosure, though correct when made, has become inaccurate in a material respect.

c. For the purposes of this policy, an employee is “affiliated” with an organization if the person, a member of the person’s immediate family (i.e., spouse, parents, children, brothers, and sisters), or a person residing in the employee’s household or a legal dependent of the employee: (i) is an officer, director, trustee, partner, employee, or agent of such organization; (ii) is either the actual or beneficial owner of more than one percent (1%) of the voting stock of or a controlling interest in such organization; (iii) has any other direct or indirect dealings with such organization from which the employee is materially benefited. It shall be presumed that an employee is “materially benefited” if he or she receives, either directly or indirectly, money, services, or other property in excess of one thousand dollars ($1000) in any year in the aggregate.

d. All disclosures required to be made hereunder must be directed, in writing, to the chief executive officer, or designee, of the institution, agency, school or office.

C. INSTITUTIONAL PROCEDURES AND REQUIREMENTS.

C-1. General reporting: All employees who have outside employment of more than 20 hours per week or who perform any outside consulting, subject to the approval required herein, must complete the Disclosure of Outside Employment or Consulting for Compensation form (Form 3260/6240B) on an annual basis. An updated Form 3260B/6240B must be submitted throughout the year if a person accepts outside employment or consulting. The disclosure form is available on the following website(s): (insert).

C-2. Consulting Approval:
   a. Administrative approval for consulting by UI employees may be granted only when the proposed activity satisfies the conditions outlined in A-1 or A-2 as applicable section B. The Consulting Approval Form (Form 3260 A) approval form is accessible on the provost’s following website(s): (insert) web page. [ed. 7-00]

C-2b. In requesting approval, employees are to supply the following information to the departmental administrator: (a) an estimate of the time that will be required, (b) the subject and scope of the consulting services, (c) to the extent UI facilities may be used, a request to use them with an estimate of the extent of such use of UI facilities.

C-2c. If UI supplies, equipment, or facilities (other than library and assigned office space) are to be used (subject to priority for their use in regular UI activities), the consultant must enter into a contract an official agreement with UI through the vice president for administration and finance, prior to using any
UI FACULTY-STAFF HANDBOOK

Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF

Section 3260: Professional Consulting and Additional Workload

July 2002

UI supplies, equipment or facilities. The contract shall be signed by the vice president for finance and administration or his designee. The vice president shall also be consulted in any case that involves collections from or payments by UI students or that could, in the opinion of the departmental administrator, head/supervisor and/or dean/director, affect the UI's result in litigation or questions concerning UI's insurance coverage. Such agreements for use of equipment supplies, equipment, or facilities must: (a) stipulate the kind and extent of equipment usage, personnel to be involved, the direct costs to be incurred, and liability for personal injury or damage to UI property; (b) include provisions for appropriate reimbursement to UI; (c) indicate that the required administrative approvals for the consulting and use of supplies, equipment or facilities have been obtained; and (d) be approved by the vice president for administration and finance or his designee.

C-4. Every employee performing consulting services must submit an annual report thereon, documenting the subject and scope of and time spent on consulting activities, to his or her departmental administrator and dean.

C-5. Any work by a UI employee for the UI that is in addition to the employee’s primary employment, whether or not it is termed consulting, must be approved by the President, Provost, or appropriate Vice President with a copy to Human Resources and otherwise comply with FSH 3440. Compensation for any such work in addition to certified salary that is paid for services rendered under A-2 or A-3 above must be handled by the UI payroll system.

C-6. The name, “University of Idaho,” is the exclusive property of UI and consequently should not be used in support of claims, advertisements, or the contents of any private consulting reports. UI stationery or letterhead may be used only for official UI business. [See 6620.]
Name: ________________________________________________________________

Department: ________________________ Phone: ____________________________

Mailing and E-mail Address: ______________________________________________

Dates/times of professional consulting: from __________________ to ______________

[Attach additional pages if necessary]

• Describe the subject, scope and purpose of consulting activity including client details:

• Describe the proposed activity will contribute to your professional growth. Provide an estimate of the amount of time that will be required to complete the consulting activity:

• Describe how the proposed activity will contribute to the University, your division and department. State whether the proposed activity will require the use of University resources, and if so, identify the resources you would use:

If your outside professional consulting activity will require involves the use of university resources (i.e., supplies, equipment, or facilities), please explain how you must enter into a contract with the University to use those resources at a reasonable rate. The contract for use of University resources must be approved and signed by the [Use of UI supplies, equipment or facilities requires an agreement signed by the Vice President for Finance and Administration or his designee, and must be executed prior to initiation of the consulting activity.]

I affirm that I have read and understand Faculty-Staff Handbook FSH 3260 and 6240 and that the professional consulting described above:

• is compatible with my professional competence,
• does not constitute unfair competition with a non-UI service already available,
• will not impair, in quality or quantity, the performance of my regular duties at UI,
• does not constitute a conflict of interest, and
• is not contrary to UI's best interests.

I affirm that I will inform each client that I am acting in a private capacity and the UI is not a party to my professional consulting activity and is not liable or responsible for the performance thereof. I affirm that I will submit an annual report documenting the subject of and time spent on consulting activities to my unit administrator and dean as required by Faculty-Staff Handbook FSH 3260 and 6240. [Form Routing: department, director/college/unit, VP for Finance & Administration if applicable]
FORM 3260B/6240B ANNUAL Disclosure of Outside Employment (20 hours/week or more) or ANY Consulting for Compensation

Name _________________________________________________    Department ______________________________________________
Vandal No. _____________________________________________   Position Title _____________________________________________

Please provide the following information for all non-University of Idaho employers that are providing you compensation.

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<tr>
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Employee Disclosure of Outside Employment

By signing here, you are certifying that the information that you provide in this form is accurate to the best of your knowledge as of the date of your signature, and you commit to providing an updated form to your supervisor if a material change occurs in your compensation from outside employment.

Signed ___________________________ Date _________________

Supervisor Review

The supervisor’s signature here reflects that he or she has reviewed this form.

Department Chair / or Unit Head / or Institute Director          Date

- Copy to employee, supervisor or unit head, and human resources
- Original document on file in the office of the chair of the Ethical Guidance and Oversight committee, campus zip: 3010
TO: University Curriculum Committee

FROM: PAAC

RE: Registration Change for Student Athletes [Effective: Summer 2008]

DATE: September 12, 2007

Objectives: Obtain the University Curriculum Committee’s endorsement of my proposal to present to the Faculty Council for approval.

Proposal: Allow student athletes at the University of Idaho to register for classes on the first day of the registration cycle when seniors do.

Reasoning:
• Every school in the WAC has it. Most representatives (athletic or registrar) that I spoke with were surprised that Idaho does not have early registration for student athletes. They see it as a necessity.
• Student athletes have rigorous practice and competition schedules to adhere to. In season, athletes practice up to 20 hours a week and spend countless hours traveling and competing. Early registration would allow them to have some flexibility in the classes that best fit their schedules.
• Student athletes are the only group on campus that must abide by strict progress toward degree requirements (40, 60, 80 rule). Not being able to get into classes and acquire the credits they need in order to meet NCAA requirements forces student athletes to either face ineligibility or switch to a less demanding major.
• Student athletes must be enrolled in 12 credits during the school year to be eligible to practice and compete. If a student athlete is on the wait list for a class and is unable to fulfill this requirement, he or she may enroll in a filler class that does not necessarily contribute to their progress toward degree completion. This jeopardizes their eligibility to practice/compete and takes seats in the class away from other students who want to be in the class. Early registration would eliminate this problem for athletes and the other students.
• Early registration would save time. It would eliminate paper work and time spent by the athletic department and professors discussing the issue of an athlete on a class wait list.
• Scholarship athletes are investments made by the University of Idaho--- why not provide a system that will allow them to be as successful as possible?

Things to Keep in Mind:
• Early registration should not be considered “preferential treatment.” Student athletes are at a disadvantage because they are obligated to give several hours of their week to practice, travel and competition--- requirements that the University demands from no other group.
• Athletes graduating will not need pre registration. This lessens the impact on the general student body during registration time.
• A large portion of the general student population, the seniors (approximately 25%) and grad students will not have a cause for complaint since they will not be registering anymore or already have priority registration.
• Early registration for student athletes mainly impacts lower classmen because so many have to take the same core classes and prerequisites.
Athletes account for a very small portion of the total student body—about 340 out of nearly 12,000, 2.8%.

**Conclusions/Observations Drawn from Research:**
- The average number of years from the 9 schools I talked with has had early registration for student athletes is 12.
- Many different systems for registration exist. Usually athletes are allowed to register with honors and disability students one day earlier than the general student body.
- In general, no specific criteria exist to determine which groups should be allowed to register early. Proposals usually go through a faculty committee like the Faculty Senate (NMSU) for approval.
- There was/is very little negative backlash as the result of instating early registration for athletes. Some schools experienced a little but it quickly dissipated and people accepted the new policy.
- Athletes do take advantage of the ability to register early. It has been successful at many schools because of the involvement of the athletic department. Some schools have strong promotion and assistance with registration procedures.
- Most of the schools allow a small portion of the student body to register early.
- “I haven’t heard of many places in my career that don’t have it.” – Gabe Rosenvall, Assistant AD at Boise State
- “If you’re going to be involved in NCAA sports, you must have early registration.” – Tania Swanger, WSU Athletic Compliance Coordinator
- These schools don’t consider early registration “preferential treatment.”
## Supporting Research

<table>
<thead>
<tr>
<th></th>
<th>Fresno State</th>
<th>Louisiana Tech</th>
<th>Washington State</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Talked With</strong></td>
<td>Christina Beddall, Registrar</td>
<td>Buddy Johnson, Assistant Registrar</td>
<td>Tania Swanger, Athletic Compliance Coordinator</td>
</tr>
<tr>
<td><strong>When priority registration was instituted</strong></td>
<td>At least 20 years ago.</td>
<td>At least 15 years ago.</td>
<td>At least 10 years ago.</td>
</tr>
<tr>
<td><strong>When athletes are allowed to register</strong></td>
<td>First day of registration cycle, one day before the general student body.</td>
<td>Same day as but after honors group, one day before general student pop.</td>
<td>One day earlier than general student pop.</td>
</tr>
<tr>
<td><strong>Other student groups allowed to pre-register for classes</strong></td>
<td>Students with disabilities, grad students, marching band (in the fall only), Honors program, 4 year degree program.</td>
<td>Honors, grads and student with disabilities.</td>
<td>Grad students, Professions Program, disabled.</td>
</tr>
<tr>
<td><strong>Criteria for permitting groups priority registration</strong></td>
<td>??? Reviewed through Enrolment Management Committee. Requests go through registrar then to committee. Very strict selection.</td>
<td>Based on absence from class, practice schedules and need to satisfy degree requirements. Proposals go through Dean of Students to be reviewed and approved.</td>
<td>Must be at a disadvantage---physical constraints, practice, competition schedules. Purpose is to create level playing field.</td>
</tr>
<tr>
<td><strong>Reaction around campus regarding early registration for student athletes</strong></td>
<td>No negative backlash. Very strict about honoring priority registration.</td>
<td>Only from groups denied the ability to register early.</td>
<td>No negative reaction. Only from groups excluded (Honors). Very clear about who has disadvantage.</td>
</tr>
<tr>
<td><strong>Do athletes actually take advantage of early registration?</strong></td>
<td>Yes. Through strong advising and support from the athletic department, athletes are aware and encouraged to register on time.</td>
<td>Majority do. Those that do not usually have administration holds are unable to pay the fees in time to register.</td>
<td>Yes. Athletes have counselors in athletic department. They are made very aware of when to register.</td>
</tr>
<tr>
<td><strong>How many students will pre-registration affect</strong></td>
<td>Approximately 1,000 out of 20,000 students.</td>
<td>Student athletes comprise 330 out of 11,000, small number from other groups.</td>
<td>400-500 athletes out of 18,000 students.</td>
</tr>
<tr>
<td><strong>New Mexico State</strong></td>
<td><strong>Hawaii</strong></td>
<td><strong>Boise State</strong></td>
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<tr>
<td><strong>Talked With</strong></td>
<td>Mike Zimmerman, Registrar</td>
<td>Secretary to Athletic Director, Marge Okimoto</td>
<td>Gabe Rosenvall, Assistant AD</td>
</tr>
<tr>
<td><strong>When priority registration was instituted</strong></td>
<td>1992-1994.</td>
<td>About 5 years ago.</td>
<td>15-20 years ago.</td>
</tr>
<tr>
<td><strong>When athletes are allowed to register</strong></td>
<td>2nd day of registration, after Crimson Scholars, 1 day before general student body.</td>
<td>1 day before general students, with grad students.</td>
<td>2 weeks before general population.</td>
</tr>
<tr>
<td><strong>Other student groups allowed to pre-register for classes</strong></td>
<td>Crimson Scholars (high GPA), grad and disabled students.</td>
<td>Grad and students with disabilities.</td>
<td>ROTC, disabilities, grad students.</td>
</tr>
<tr>
<td><strong>Criteria for permitting groups priority registration</strong></td>
<td>No specific criteria. Approval through Faculty Senate.</td>
<td>???</td>
<td>No specific criteria. Justification: cannot miss academics for athletics and practice and travel conflicts.</td>
</tr>
<tr>
<td><strong>Reaction around campus regarding early registration for student athletes</strong></td>
<td>Some faculty staff did not agree at time. No longer an issue. Won’t publish in school brochure because it’s controversial.</td>
<td>Good and bad reaction. Complaints eventually went away as people accepted it. Have not changed procedure as result.</td>
<td>No. Been available for a while. Strong support from administration, especially registrar's office.</td>
</tr>
<tr>
<td><strong>Do athletes actually take advantage of early registration?</strong></td>
<td>About 85% do. Have new group of athletic academic advisors that promote it.</td>
<td>Yes, even while traveling, coaches help them register.</td>
<td>“Vast majority” do.</td>
</tr>
<tr>
<td><strong>How many students will pre-registration affect</strong></td>
<td>About 5,000 out of 16,500. 350 are athletes.</td>
<td>?? Registrar’s response: Everyone benefits.</td>
<td>350 athletes out of 18,000 (includes technical school and grad students).</td>
</tr>
<tr>
<td><strong>Utah State</strong></td>
<td><strong>Nevada Reno</strong></td>
<td><strong>San Jose State</strong></td>
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<tr>
<td><strong>Talked With</strong></td>
<td>Brian Evans,</td>
<td>Cara Nero, Admissions and</td>
<td>Drew Agbie, Athletic</td>
</tr>
<tr>
<td></td>
<td>Associate AD- Student Services</td>
<td>Records Assistant Sandra Niedorgall, Director of Compliance</td>
<td>Advisor</td>
</tr>
<tr>
<td><strong>When priority registration was instituted</strong></td>
<td>Around 10 years ago.</td>
<td>2000-2001 academic year.</td>
<td>At least 4 years.</td>
</tr>
<tr>
<td><strong>When athletes are allowed to register</strong></td>
<td>Wednesday through Friday, when the general student body starts the following Monday.</td>
<td>With honor students, one day before seniors and grad students.</td>
<td>Varies by semester. Registrar chooses. Usually a few days but no more than a week. In summer it is</td>
</tr>
<tr>
<td><strong>Other student groups allowed to pre-register for classes</strong></td>
<td>Honors, students in Multicultural Student Services, disabilities.</td>
<td>Honors and disability.</td>
<td>Honors and disabilities.</td>
</tr>
<tr>
<td><strong>Criteria for permitting groups priority registration</strong></td>
<td>Reviewed through registrar’s office. Last semester got rid of groups that did not truly need it.</td>
<td>Went through faculty senate than to the President’s office. Current president strongly approved.</td>
<td>? W/ athletes, they came to school to participate in a university activity where SJSU chooses practice times. Athletes also have to remain eligible to compete.</td>
</tr>
<tr>
<td><strong>Reaction around campus regarding early registration for student athletes</strong></td>
<td>“None whatsoever.” No complaints from administration or faculty. Only positive things.</td>
<td>Some grumbles, nobody really spoke out. Titled “early registration” to avoid claims of preferential treatment. President doesn’t allow it to be a debated issue.</td>
<td>Questions whether or not people even know about it. It is downplayed to avoid negative reaction. Coaches are informed of reg. time and inform their athletes.</td>
</tr>
<tr>
<td><strong>Do athletes actually take advantage of early registration?</strong></td>
<td>About 97% do. Students see their advisor and get a form listing their classes. They bring that form to an advisor in the athletic department who registers for them.</td>
<td>About 80% do. When first instituted, it was especially high. Athletes are threatened with missing practice or competition if they do not register on time.</td>
<td>Yes, about 85-90% do.</td>
</tr>
<tr>
<td><strong>How many students will pre-registration affect</strong></td>
<td>320 athletes. Between 500-600 students total out of 21,000.</td>
<td>420 student athletes out of 16,200.</td>
<td>1,300 out of 30,000 are athletes are athletes or have disabilities (350 athletes, 950 disabled).</td>
</tr>
</tbody>
</table>