University of Idaho
2013-2014 FACULTY SENATE AGENDA

Meeting #24

3:30 p.m. - Tuesday, April 15, 2014
Brink Hall Faculty-Staff Lounge
IWC Room 390 – Boise
213 – Coeur d’Alene
TAB 321B IF4 – Idaho Falls

Order of Business

I. Call to Order.

II. Minutes.
   • Minutes of the 2013-14 Faculty Senate Meeting #23, April 8, 2014 (vote)

III. Chair’s Report.

IV. Provost’s Report.

V. Other Announcements and Communications.
   • Legislative Session (Stegner)
   • FS-14-049: APM 95.13 - Surveillance Cameras; Gun Task Force (Dorschel)(FYI)
   • FS-14-050: FSH 3890 – Grievance Procedures for Exempt Employees (Nelson)(FYI)

VI. Committee Reports.

   Committee on Committees: (Ytreberg)
   • Approval of 2014-15,16,17 appointments (vote)

   Faculty Affairs: (McDaniel) (pending FAC meeting at 2:30 on April 14, 2014)
   • FS-14-045: FSH 1520 – University Constitution (vote)
   • FS-14-046: FSH 3160 – Academic Freedom (vote)

   University Curriculum Committee:
   • FS-14-048 (UCC-14-057) – Online Programs (Stevenson)(vote)

VII. Special Orders.
   • FS-14-047: APM 35.28 – Smoking policy (endorsement)

VIII. Unfinished Business and General Orders.

IX. New Business.

X. Adjournment.

Professor Trish Hartzell, Chair 2013-2014, Faculty Senate

Attachments: Minutes of 2013-2014 FS Meeting #23
FS-14-047; 048; 049; 050
Present: Aiken (w/o vote), Awwad-Rafferty, Bird, Brandt, Cobb, Couture (Boise), Eckwright (w/o vote), Empey, Flores, Frey, Hartzell (chair), Karsky, Manic (Idaho Falls), Miller, Morra, Pendegraft, Perret, Pregitzer, Smith, Stoll, Stuntzner (Coeur d’Alene), Ytreberg  Absent: Davis, Gunderson, Latrell, Murphy, Ostrom, Qualls, Safaii, Wolf  Guests: 8

A quorum being present, Senate Chair Hartzell called the meeting to order at 3:35pm.

Minutes: A senator asked that a sentence on p. 7 of the minutes from the April 1 meeting be edited for clarity purposes. It was moved and seconded (Pendegraft, Empey) to change “It was moved to accept the policy with the amendment to A-1” to “The amendment as amended was adopted.” Motion carried 19-0 with abstentions by senators Smith and Stoll.

The amended minutes were approved on a 17-0 vote, with abstentions by senators Smith and Stoll.

It was moved and seconded (Awwad-Rafferty, Smith) to change the agenda and move unfinished business ahead of other announcements and communications. Motion carried unanimously.

Chair’s Report. The Chair reported on the following items:
- Gail Eckwright, faculty secretary, who has been an invaluable resource contributing significantly to the university during her 36 years, will be retiring at the end of this semester. In addition to her many contributions to her profession as a librarian, Gail has been a valuable member of numerous senate committees and has done an outstanding job for the past few years as Faculty Secretary.
- Chair Hartzell will host an end of semester gathering at an off-campus location on May 13, 4-6pm, to honor senators, senate committee chairs and members of the faculty secretary’s office. More information to follow.
- New student leadership:
  - Senator Kate Cobb is graduating; the new Graduate and Professional Student Association (GPSA) representative is Anthony St. Claire.
  - Associated Students of the University of Idaho (ASUI): Nate Smith and Sarah Vetsmany were recently elected ASUI president and vice president, respectively.
  - Student Bar Association elections are in progress.
- Chair Hartzell is working with Professor Sally Graves Machlis, Art & Design program head, to place art created by students and faculty in Brink Lounge.
- Borah Symposium continues through Wednesday, April 9. Some of the events have been filmed and are available online.
- Ann Thompson, assistant to the faculty secretary, has earned an Outstanding Staff Award and will be recognized at the staff awards reception on Friday, April 11.

Provost’s Report. Provost Aiken reported on the following items:
- We will begin a search for a new faculty secretary at the earliest convenience.
- The annual Tutxinmepu Powwow will be held April 19 and 20. This is a signature event for UI and part of Saturday evening’s events will honor Dr. Art Taylor. For more information: http://www.uidaho.edu/nativeamericancenter/tutxinmepupowwow
Yolanda Bisbee has accepted the position of UI executive director for tribal relations. The annual powwow is her first big event as executive director and we are looking forward to her leadership in this area.

**FS-14-001rev: FSH 2300 – Student Code of Conduct.** Chair Hartzell then invited Professor Steve Shook, chair of the University Judicial Council (UJC), to speak about changes to FSH 2100, 2300, 2305 (2400) and 2350, which are all seconded items coming from UJC. Professor Shook observed that we had discussed FSH 2300 at last week’s meeting but we ran out of time. FSH 2300 in today's packet is essentially the same as that amended by senate last week, but with the following proposed changes:

- Article II, A-8 (p. 20), added language stating that any violation of federal or state laws, local ordinances or UI policy is also a violation of the student code.
- Article II, A-7-c (p.20), a slight change to last week’s amendment regarding alcohol to remove ambiguity.
- A few edits to make the language less legalistic and more disciplinary-oriented.
- Also, dean of students’ office (DOS) had been interested in adding “frequenting” language to the code, but the committee decided not to include that language.

In response to a senator’s question about plagiarism definition in Article II, A-1-b, Professor Shook stated that this language was added to make it consistent with language about cheating. The term “reasonable” is a legal term. Motion to approve FSH 2300 passed unanimously.

**FS-14-027rev: FSH 2305 (2400) – Disciplinary Process for Violations of Student Code of Conduct.** Professor Shook then proceeded to FSH 2305 which has migrated into new FSH 2400, which was recently approved by senate. These changes are material enough that they warrant another vote by senate. Proposed changes:

- A-1-j (p. 41), added language regarding Independent Study of Idaho (ISI) students being considered UI students. This has become a major issue recently.
- C-4-b-1 (p.45), language to make it very clear about notifying the chair of the committee and that after a student notifies the chair, the chair notifies the DOS that the student does not want to testify.

A senator pointed out that the term “instructor” was recently defined as having a specific meaning at UI and proposed language in A-1-j-4 is inconsistent with this meaning. Another senator understood this clause to mean that “instructors” are part of an organized program called Independent Study of Idaho. Provost Aiken added that ISI hosts courses, some of which are UI courses. This wording is talking about those ISI courses that are UI-sponsored. After further discussion it was moved and seconded (Brandt, Bird) to strike the last portion of A-1-j-4 “or taught by a University of Idaho instructor.” Motion carried, 19-0. Motion to approve FSH 2400, as amended, passed unanimously, 20-0.

**FS-14-030: FSH 2350 – Sexual Harassment & Sexual Violence Pertaining Specifically to Students.** Professor Shook then spoke to FSH 2350, Sexual Harassment and Sexual Violence Pertaining Specifically to Students. FSH 2350 has been completely redlined and everything has been moved to two different parts as indicated in marginalia of the redlined document. Motion to approve carried, 20-0.

**FS-14-043: FSH 2300 – Student Code of Conduct** current policy. Chair Hartzell then returned to FSH 2300 for a vote to retire it and replace it with the policy (FS-14-001) we voted on earlier. Motion carried, 20-0.
FS-14-042: FSH 2100 – The Student and the University. Professor Shook next directed senators to FSH 2100, the Student and the University. This was approved by faculty senate several weeks ago when the jurisdiction section was added to this section of the code. Changes to FSH 2100 include:

- Minor changes for consistency of language.
- Reordering of committees dealing with student concerns.
- Addition of a Statement of Student Values. This document was brought forward by Max Cowan and John Nuhn on behalf of an overwhelming majority of students who had voted in the recent general election to approve putting their own statement in the FSH. Professor Shook pointed out that this is a statement and not “policy” and it fits best in FSH 2100.

Senators entered into a discussion about the placement of this statement in the FSH. The existing Statement of Student Rights remains in FSH 2200 and it was voted on and approved during this process. A senator noted that the Statement of Student Values is laudable, desirable and should be published – but perhaps the FSH is not the right place for it because it effectively will hold students “hostage” to the senate body for any future changes to the document. Motion carried, 12-8.

It was moved and seconded (Pendegraft, Awwad-Rafferty) to thank Professor Shook and UJC, in general, for extraordinary service well above the call of duty. Motion carried unanimously with a loud round of applause.

Report on President’s Residence. Chair Hartzell then invited Ron Smith, vice president for finance and administration, to speak about the ongoing plans for a new president’s residence. Mr. Smith provided background information as well as an update on the residence:

- “University House” is the official name for the president’s residence.
- Planning for a new residence began a year ago with a planning committee appointed by then-president Don Burnett.
- Committee members determined the current house was dysfunctional and should be replaced; they also visited possible sites for the residence and decided the existing site is the best location for University House.
- Would like a brick exterior but may not be able to pay the extra costs associated with a brick exterior.
- Hummel Architects was selected for the project.
- Contractor is Tom Golis, a UI alumnus.
- Previous house was 6600 square feet and current design (not final) for new residence is 6400 square feet, with a two-car garage.
- UI Foundation has committed to funding the construction costs for the building estimated at $900,000-$1,200,000.
- UI will pay for demolition and site preparation.

In response to senators’ questions, Mr. Smith provided the following information:

- University House will be LEED (Leadership in Energy & Environmental Design) silver, at least. The house will be ADA-accessible and will have an elevator.
- UI President Staben is not engaged much with this process, since this is “University House” and not any one president’s house.
- It may be possible to raise the extra $250,000 to pay for a brick exterior.
- Due to costs, the original plan to separate the entertainment space from the living space has evolved and the entertainment space is now woven into the living space. This space will have a dual role: living space on a daily basis, but big enough to accommodate entertainment space when needed.
Reclassification and Appeals. Chair Hartzell then invited Greg Walters, executive director of human 
resources, to join Mr. Smith for a discussion of questions pertaining to reclassification and the appeals’ 
process. Chair Hartzell reported that the reclassification process began more than a year ago and the 
appeals’ process went through the winter months and into spring break week. Mr. Walters recounted the 
original goals of the project, including:
- Establish a classification system that would cover both classified and exempt staff.
- Establish classification group titles for positions performing relatively similar work.
- Reduce number of individual classifications from 1140 to under 300.
- Update job descriptions for compliance purposes.
- Correctly classify positions to best be able to measure our positions relative to labor markets.
- Provide data necessary for leaders to determine long-term compensation plan and strategy.

Additionally:
- No one lost a job.
- No one had a decrease in pay.
- No changes in supervisors.
- Employees who “were attached” to a particular job title were allowed to keep it as a position title 
in Banner.
- Pay went up for 44 employees.

Mr. Walters then addressed questions about appeals. He reported the following:
- Appeals for the three scientific series were pulled out of the overall group and will be looked at 
later this spring or when we can pull those groups together.
- Total number of remaining appeals (after scientific series were pulled out):
  - From women: 85
  - From men: 50
- Number of appeals approved:
  - From women: 35
  - From men: 33
- Number of appeals that involved a change in pay grade: 68 (figured arrived at by adding 35 to 33 
  from appeals approved)
- Number of appeals that involved a change (increase) in pay:
  - From women: 1
  - From men: 1
- Number of appeals that involved only a change in title: 8

Mr. Walters and Mr. Smith responded to senators’ questions and comments as follows:
- Did one department or college have many more appeals than others? No, I don’t think so. CALS is 
  the largest employer so they naturally had the most successful appeals.
- CALS had informed us that they had 70 appeals and only four were approved for a pay change? 
  Thirteen appeals from CALS were approved.
- When do you plan to revisit the scientific classifications? How many are in this group? I don’t have 
  a good timeframe for that although I have talked about “late spring.” There are fewer than 10.
- Was ITS involved in some of this? IT analyst was the group. If there was an appeal from that group, 
  the appeals panel heard the appeal. We plan to break-up the IT analyst group into smaller 
  classifications within the same pay grade.
- We learned that there were positions that required an advanced degree (MS, PhDs) and experience 
  and some of these positions were ranked much lower than positions held by an individual with a
BS and little or no experience. For example, agricultural field research positions require people with advanced degrees, yet were ranked at the same level as field hand positions, which require no special training. What weight was placed on degree and special skills (scientific, electrical, HVAC, etc.)? The job value factors were not weighted; education, knowledge, skills and abilities were not weighted. What is measured as part of those job value factors is what would constitute a bona fide occupational minimum qualification? Sometimes it is a master’s degree, sometimes a PhD, and so on. If it is a bona fide minimum qualification, it does factor in but they were not weighted.

- Is it common not to weight them? Yes. We are getting away from the Hay system which does weight them.
- Does years of job experience weigh in at all? Not at all. Classifications are specifically about the positions.
- In my area we have certain positions where we listed minimum degree of experience as a minimum factor. You said that experience is not a factor but if experience is a minimum qualification does that play a role? Yes, experience is often a minimum qualification and in those cases it is a job value factor.
- Could you comment on the second part of the earlier question re: agricultural field research positions and field hand positions? Without the two job descriptions in front of me, I cannot comment on it in this setting. [Chair Hartzell added that she could provide specific PDQs and examples and send those to you at a later date.]
- Can we see more information on the criteria used to rank staff positions? We do not rank positions; they are classified using job value factors which are posted on the HR website. There are three main headings: knowledge and skills; scope of responsibility; range of impact.
- Administrative assistants who work in the upper UI administration were ranked much higher than administrative assistants in other units who also carry a heavy workload. For example, we noted the president’s assistant at level 9, with a midpoint salary of $75,000; the provost’s assistant at level 8 and dean’s assistant at level 7. What accounts for these differences? What weight was placed on reporting lines, i.e., status of the supervisor? This is part of the peer groups that were put together in order to look at these when we were doing the recalibration process prior to the appeals. This was based on the complexity of the position, such as the impact of the type of information they deal with, for example, confidentiality. The group considered the impact of the issues they manage as they work up the career ladder from dean’s assistant up to president’s assistant.
- I understand the need for levels so that people can move up the ladder, but speaking for my discipline someone who has a PhD or master’s degree and is working in a science lab has no opportunity to move up a career ladder. Yet these people have a lot of knowledge and skills and they have complex jobs. I will now have to offer someone much less money to replace my lab technician. This is a compensation strategy that we are looking at. We have gone to the lower levels because of the people who are in those jobs now. We have dug ourselves a hole, which is understandable because of seven years without a raise. As a result we have people who have been here 10-12 years who make less than a person who is hired with less experience as a new employee – this causes a compression issue. Provost Aiken added that a number of people have said “I cannot hire at this level of compensation” but over 80% of them are able to hire. We grant an exception for the others. It will be difficult for a while but we are trying to pay attention to those people who have been here for a while.
- I have begun to think about retirement and I am at 90% of my pay level. The only way I could be replaced is with an exception and that gets us back to where we were? We are trying to do some succession planning by bringing people up and promoting from within.
- For the record, I am glad to hear that you are doing succession planning.
Were all of the appeals responded to? All of the appeals were responded to and all of the people who wanted a personal interview were given the opportunity to do that.

Some staff in my unit were performing higher level jobs and when they wrote their university job descriptions they put in the job description of the higher level jobs. Now these staff have a higher level job description and they did not appeal because they are hoping to get reclassifications when that opens up — but in the meantime, these staff are graded against a higher level, more stringent job description but their grades and classification have not changed. Mr. Smith said these staff are working at a job level with their PDQ under a job description that would raise them to a different level. They are working at these job descriptions now but they were not when this process began. These could be part of the reclassification process. Mr. Walters added that the reclassification study was completed on January 31, 2014. We captured classifications as they were at that time. For reclassification to be considered going forward, the jobs will have had to have changed since January 31. Mr. Smith suggested that maybe we should look at this and see what inequities may have happened there.

Mr. Smith asked to make a final comment: questions continually arise about whether staff who are above or close to the top of their pay levels have opportunities for raises. The answer is “yes,” these staff are eligible for raises the same as any other staff.

Senators then engaged in a passionate discussion about the problems with current compensation levels for talented staff. A senator explained that he employs a technician with a PhD and six-year-postdoc experience who earns $30,000 a year which is so low that she qualifies for free milk and cheese for her children. But he cannot pay her more money because we are not allowed to supplement earnings for these employees with money from grants. Why is this? This is a terrible situation and it is repeated across campus. Another senator said that UI is in an “emergency” and that there is a level of demoralization, disruption and deep dissatisfaction among the staff that we have not previously seen at UI. People are not being paid enough and this is a serious operational issue. Another senator asked if we could create a policy that would allow faculty to give temporary salary increases to staff using soft money? Mr. Smith responded by pointing out that there could be staff who have the same duties but are working for someone who does not have soft money for temporary salary increases.

FS-14-044. FSH 3840—Procedures for Faculty Appeals. Chair Hartzell then invited Kent Nelson, General Counsel, to speak about a change to procedures for faculty appeals. Mr. Nelson said that the current appeals process as written in UI policy is inconsistent with State Board of Education (SBOE) policy. Changes to this policy were made in order to make it conform to SBOE policy and this comes to senate as an FYI. No vote required. Mr. Nelson noted while sitting at the meeting he noticed another policy for classified and exempt staff where this change will also need to be made and sent a request for same to Faculty Secretary/Policy Coordinator.

Adjournment: It was moved and seconded (Smith, Karsky) to adjourn at 5:05pm. Motion carried.

Respectfully submitted,

Gail Z. Eckwright
Secretary to Faculty Senate and Faculty Secretary
POLICY COVER SHEET
(See Faculty Staff Handbook 1460 for instructions at UI policy website: www.webs.uidaho.edu/uipolicy) [3/09]

<table>
<thead>
<tr>
<th>Faculty/Staff Handbook [FSH]</th>
<th>□ Addition □ Revision* □ Deletion* □ Emergency</th>
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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): Matt Dorschel 3/5/2014
(Please see FSH 1460 C)
Telephone & Email: 885-7209 mdorschel@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 proposed policy regulates the use of surveillance cameras to protect the legal and privacy interests of the University of Idaho and the University community, and to provide a common/standardized set of processes for acquiring and maintaining those systems.

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

No significant fiscal impacts are projected. Costs related to system acquisition and maintenance will continue to be the responsibility of the unit where the systems are installed. There may be considerable savings to surveillance enterprise partners due to UI Public Safety and ITS having already acquired servers for secure data storage.

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

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.

July 1, 2014

If not a minor amendment forward to: ____________________________

Track # ____________
Date Rec.: ____________
Posted: t-sheet ________
h/c __________
web _________
Register: ______________
(Office Use Only)
95.13 - Surveillance Systems  
Created/updated: February 24, 2014

**Preamble:** This policy was created to regulate surveillance cameras and protect the legal and privacy interests of the University of Idaho and its community.

**General.** The University of Idaho is committed to protecting the safety and property of the University community while respecting the privacy rights of our faculty, staff, students, and visitors. Cameras provide a visual deterrent to crime, assist with overall security measures, and increase the potential identification and apprehension of person(s) who commit criminal acts or violate University policies. The primary use of surveillance cameras is to record images for future identification of individuals and activity in the event of violations of law or policy. UI video surveillance systems will not be actively monitored.

**A. Policy**

This policy regulates the use of surveillance cameras to protect the legal and privacy interests of the University of Idaho and the University community. This policy applies to all University of Idaho persons and organizations using surveillance systems and devices for recording activity, except as explicitly excluded below.

The University of Idaho reserves the right to place video surveillance cameras on campus where necessary and appropriate. The University of Idaho respects the right to privacy of university community members and balances the right to privacy versus the safety needs of the campus community. The Office of Public Safety and Security (“University Security”) is responsible for the creation and management of video surveillance records for law enforcement purposes, and is identified as the University’s law enforcement unit under the Family Educational Rights and Privacy Act (“FERPA”). All use of video surveillance cameras must be approved by University Security and is subject to oversight by that office.

**B. Procedures**

**B-1. Access and Use:** Only those authorized by the Executive Director of Public Safety and Security or designee, will be involved in, or have access to surveillance camera data.

a. The use of dummy or placebo cameras is prohibited.
b. University Security will have access to all surveillance camera data.
c. When an incident is suspected to have occurred, only authorized personnel may review the images from surveillance camera data.
d. Only the Executive Director of Public Safety and Security or designee may authorize copies of surveillance images.
e. All requests to release surveillance records must be authorized by both the Office of General Counsel and the Executive Director of Public Safety and Security or designee.
f. In general, the University will not permit either the installation or use of cameras as a tool to monitor routine performance or management issues involving University personnel or the use of personal “webcam” or similar technology for surveillance purposes. Departments or units seeking to install or use cameras for this purpose must obtain approval from both University Security and Human Resources. If approved, employees of any department with surveillance cameras for this purpose will be notified of such installation.

g. The use of personal “webcam” or similar technology for surveillance purposes is prohibited absent prior permission from the Executive Director of Public Safety & Security.

h. The recording of audio is prohibited.

i. Video recording will be conducted only in areas where the public does not have a reasonable expectation of privacy.

j. Video surveillance cameras shall not be specifically directed or zoomed into windows of any non-public areas of a residential building, including residence halls. Electronic shielding or other methods will be used to ensure compliance with this provision.

k. In consultation with General Counsel and Information Technology Services (“ITS”) staff, video surveillance implementation and policy exceptions will be reviewed by the Executive Director of Public Safety and Security on an annual basis.

l. Unauthorized systems will be subject to removal at the expense of the department or unit in violation of these standards.

B-2. **Data and Access Log Storage:**

a. A log documenting access to and use of data stored in the University’s surveillance system will be maintained for a period of 12 months.

b. Video tapes or other media will be stored and transported in a manner that preserves security. Current and archived tapes or media shall be kept locked and secured.

c. Recorded images shall be kept confidential and destroyed on a regular basis. Such images will be retained for a minimum of thirty (30) days and a maximum of one (1) year. Cameras purchased prior to the implementation of these standards will be granted an exception to the retention period above if recorded image retention is less than thirty (30) days. Recordings that, after review, merit retention for administrative or potential legal uses must be maintained for three (3) calendar years after the end of the year to which they relate. All recorded images used for an investigation or prosecution of a crime shall be further retained until the end of the proceeding and appeal period unless directed otherwise by a court of law.

B-3. **Device Procurement, Installation, and Maintenance:**

a. The installation of new surveillance cameras, their locations, and purpose must be approved in advance by the Executive Director of Public Safety
and Security. A request for surveillance installation must be submitted and approved prior to the purchase of equipment. Surveillance cameras must connect to the University’s surveillance system managed by University Security, in accordance with University product, installation, maintenance, and support policies.

b. All costs associated with the purchase, installation, and maintenance of the system will be the responsibility of the requesting department or unit.

c. All authorized cameras and systems should be inspected annually by the department or unit to ensure they are in proper working condition and meet these guidelines. University Security may inspect all cameras and systems at any time to ensure compliance with this policy.

d. Signs stating that surveillance equipment is in use will be placed at main entries of buildings or near other appropriate areas.

C. Excluded surveillance systems and devices: This policy does not apply to the use of video for non-surveillance purposes; examples include:

   C-1. The academic use of cameras for educational purposes.
   C-2. Cameras used for research purposes, which are subject to policies regarding human subjects.
   C-3. Cameras used for journalistic purposes.
   C-4. Cameras used for capturing public events and performances.
   C-5. Construction web cameras.
   C-6. Cameras installed or used as part of criminal investigations, which are subject to appropriate Idaho and Federal laws.
   C-7. Webcams used for purposes of communication between specific persons.

D. Contact Information. For specific questions regarding this policy, contact The Office of Public Safety & Security: www.uidaho.edu/public-safety-and-security; campus-security@uidaho.edu
### 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

**Chapter & Title:** FSH 3890 –

**Administrative Procedures Manual [APM]**
- [ ] Addition
- [ ] Revision*
- [ ] Deletion*
- [ ] Emergency

**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.”

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<tr>
<th>Originator(s):</th>
<th>Kent Nelson</th>
<th>April 8, 2014</th>
</tr>
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<tbody>
<tr>
<td>Name</td>
<td><a href="mailto:kentnelson@uidaho.edu">kentnelson@uidaho.edu</a></td>
<td>885-6125</td>
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<th>Policy Sponsor: (If different than originator.)</th>
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<tbody>
<tr>
<td>Greg Walters</td>
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<tr>
<td>Name</td>
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<tr>
<td><a href="mailto:gregwalters@uidaho.edu">gregwalters@uidaho.edu</a></td>
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**Reviewed by General Counsel**
- [ ] Yes
- [ ] No

**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.

FSH 3890 (Exempt Grievances) has an out dated section that indicates a faculty has the right to appeal to the Regents as part of the University’s grievance process; citing to RGPIIM2. However, in 2011, the Regents/SBOE passed a revision to this policy clearly stating that the decision of the University chief executive officer is the final decision on all human resource matters and there is no appeal to the board.

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

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

**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: ___________________________________________

**Policy Coordinator**

**Appr. & Date:**

[Office Use Only]

**APM**

**F&A Appr.:**

[Office Use Only]
GRIEVANCE PROCEDURES FOR EXEMPT EMPLOYEES

PREAMBLE: This is a new section to the Handbook introduced July 2002. For further information, contact Human Resources (208-885-3638). [ed. 9-06, 12-07]

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A. Policy.
B. Informal Resolution Process.
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A. POLICY.

A-1. Purpose. The purpose of this policy is to provide clear, processes through which exempt employees may present grievances related to employment. This policy aims to assist in maintaining a productive work environment and preventing minor complaints or problems from becoming major concerns. Unresolved grievances can result in a strained working environment, low morale, absenteeism, and diminished productivity. [ed. 12-07]

A-2. Rules of the Regents of the University of Idaho. Section IIM of the Regents Policies and Procedures Manual provides the following with respect to grievances of nonclassified employees (FSH 3840 is the applicable policy related to faculty members’ grievances and appeals):

IIM2. Nonclassified Employees (including Faculty Employees)

a. Internal Policies and Procedures. Each institution, agency, school, and office must establish general procedures to provide for grievances and appeals for human resource matters. Such procedures shall be forwarded to the executive director for review and maintenance on file in the Office of the State Board of Education. Internal procedures must include the following elements:

1. provision for informal resolution;
2. procedures for filing a formal, written complaint;
3. reasonable time requirements;
4. a description of the hearing body; and
5. requirements for retention of records.

b. Appeal to the Board. Pursuant to Board Policy II.B.2.b, the Board delegates authority for personnel management to the chief executive officers. Accordingly, human resource matters are not appealable to the Board.

A nonclassified employee may elect to petition the Board to review any final personnel related decision of the chief executive officer. Any written petition must be filed in the Office of the State Board of Education within fifteen (15) calendar days after the employee receives written notice of final action under the internal procedures of the institution, agency, school, or office. The Board may agree to review the final action, setting out whatever procedure and conditions for review it deems appropriate, or it may choose not to review the final action. The fact that a written petition has been filed does not stay the effectiveness of the final decision nor does it grant a petition for review unless specifically provided by the Board. Board review is not a matter of right. An employee need not petition the Board for review in order to have exhausted administrative remedies for the purposes of judicial review.

A-3. Policy Not Applicable. This policy does not apply to the following circumstances:

a. Financial Exigency. This policy does not apply under the circumstances described in FSH 3970, except as set forth therein.
b. Sexual Harassment or Illegal Discrimination. The processes in this policy should not be used when alleging sexual harassment or illegal discrimination. An employee alleging sexual harassment or discrimination based on race, color, sex, national origin, religion, age, sexual orientation, or disability may file a complaint with the Director of Human Rights, Access and Inclusion. That Office investigates such complaints, and handles their resolution with appropriate regard for confidentiality. [FSH 3210, FSH 3215, FSH 3220] [ed. 9-06, 6-09]

c. Nonrenewal of term appointment. This policy does not apply to the nonrenewal of a term appointment. Section IIF of the Regents Policies and Procedures Manual states the following with respect to grievances related to nonrenewals:

Except as set forth in this paragraph, nonrenewal is not grievable within the agency, institution, school or office nor is it appealable to the Board. However, if an employee presents bona fide allegations and evidence in writing to the chief executive officer of the agency, institution, school or office that the nonrenewal of the contract of employment was the result of discrimination prohibited by applicable law, the employee is entitled to use the internal discrimination grievance procedure to test the allegation. The normal internal grievance procedure for discrimination must be used unless changed by mutual consent of the parties. The ultimate burden of proof rests with the employee. The agency, institution, school or office is required to offer evidence of its reasons for nonrenewal only if the employee has made a prima facie showing that the recommendation of nonrenewal was made for reasons prohibited by applicable law. Unless mutually agreed to by the parties in writing, the use of the discrimination grievance procedure will not delay the effective date of nonrenewal. Following the discrimination grievance procedures, if any, the decision of the agency, institution, school, or office is final.

B. INFORMAL RESOLUTION PROCESS.

B-1. Employees, supervisors, upper-level managers and administrators are encouraged to resolve job-related disputes informally at the lowest management level possible within UI. Before using the written complaint process, an employee should make a reasonable attempt to meet with and resolve the matter(s) with his or her immediate supervisor. Advisors, except attorneys, are permitted at informal meetings with immediate supervisors. Employees and supervisors are strongly encouraged to use informal meetings in order to identify the precise matter(s) at issue, discuss ways to resolve them, and to resolve matters at the lowest level possible.

B-2. If an employee believes that meeting with his or her immediate supervisor would be futile, the employee is encouraged to contact Human Resources (HR) or the next higher administrator for assistance. [ed. 9-06]

B-3. The ombuds office [FSH 3820] provides a confidential, informal mechanism to facilitate voluntary communications between individuals in dispute, to help clarify issues involved, and to suggest avenues for dispute resolution. An employee who wishes to use the services of the ombuds should do so before using the procedures discussed below. [ed. 9-06]

C. WRITTEN COMPLAINT PROCESS

C-1. To begin the written complaint process employees file a written complaint no later than ten (10) working days after becoming aware of any grievance, or after ending the informal process without resolution, whichever date is later. The time limit for filing shall be extended due to the employee’s illness or other approved leave up to five (5) working days after returning to the job. UI may, but is not required to, accept a filing that is or appears to be filed late. Filing is made by hand delivering or mailing by first class mail, postage prepaid, to the assistant vice president for human resources or designee, University of Idaho, Moscow, Idaho 83844-4332. Filing shall be deemed received on the date of hand-delivery or postmark.

C-2. An employee may be represented by an advisor, who may be an attorney, in the written complaint process. Two or more employees may join together to use the written complaint process. Retaliation for using the written complaint process or for participating as a witness or representative is expressly prohibited. An employee who believes that he
or she is being retaliated against should review the University’s retaliation policy, FSH 3810, and notify HR. [ed. 9-06]

C-3. HR will arrange for the employee to meet with representatives of the unit or college who are best able to resolve the problem through a meeting with the employee. Because the goal of this procedure is to resolve problems at the lowest level possible, this meeting may involve the immediate supervisor and any additional people who may be helpful in resolving the issue(s) as determined by HR. The department head, director, or equivalent may consult with the employee, immediate supervisor, college administration, others who participated in the written complaint process and any other resources or persons in order to determine how best to resolve the issue. [ed. 9-06]

C-4. The employee will receive a written response to the issues raised from the department head, director, or equivalent no later than five (5) working days after the meeting.

C-5. Optional Mediation Step. At any time during the written complaint process, UI and the employee may mutually agree to engage in mediation. If both UI and the employee agree to engage in mediation, the other steps and time limitations (except for the initial filing deadline) of the written complaint process will be put on hold pending mediation. UI will pay for the costs of mediation. UI and the employee must also agree upon a mediator. The mediator cannot be a current or former employee of UI. The outcome of the mediation may include, at the mediator’s discretion, a written document of the resolution.

D. APPEALS.

D-1. These procedures apply to appeals from the written complaint process and the dismissal for cause process described in FSH 3920. The filing of an appeal does not extend the effective date of the decision being appealed.

a. Filing of Appeal and Appearances. Appeals are filed with the assistant vice president for human resources or designee. Every appeal filed shall be written and shall state, at a minimum, the decision being appealed, the grounds for the appeal, the action requested, and the name, address, and telephone number of the employee’s attorney if the employee is represented. HR shall provide a copy of the appeal to the administrator whose decision is being appealed, the Provost, Vice President, Executive Director or other similar individual in charge of the employee’s unit, and the chair of the Staff Affairs. [ed. 9-06, 6-09]

b. Time Period for Filing An Appeal. An appeal must be received or postmarked within ten (10) working days after receipt of the written notice of final decision being appealed. The notice of final decision is deemed received on the date personally delivered, or three (3) working days after deposited in the United States mail, postage prepaid.

c. Upon receiving an appeal, the chair of Staff Affairs shall appoint three current or former members of Staff Affairs to serve as the Staff Affairs Hearing Board (SAHB). The Staff Affairs chair will appoint one (1) member of the SAHB as its chair. Current or former members of the Staff Affairs who wish to be eligible to serve on the SAHB are required to participate in periodic training sessions conducted by the Office of General Counsel to ensure their understanding of due process requirements. Only those members of the Staff Affairs who attend training sessions are qualified to hear appeals. UI supervisors shall provide members of Staff Affairs paid time away from their jobs to attend these periodic training sessions and other meetings associated with handling a grievance under this policy. [ed. 9-06, 6-09]

d. Once a grievance has been filed and an SAHB has been formed, the SAHB may meet as needed to prepare for the hearing and to handle other issues that arise related to the grievance.

e. Setting of Hearing. Within ten (10) working days after receiving the appeal from HR, the chair of the SAHB shall consult with the parties and thereafter shall set a mutually agreeable date for the hearing. The chair has discretion to change the date of the hearing. The SAHB shall also set the date by which UI’s response to the appeal shall be filed. [ed. 9-06]
f. Filing of Documents. Once an appeal is referred to the chair of the SAHB, all documents shall be filed directly with the chair of the SAHB during the pendency of the appeal. Copies of all documents submitted shall be provided to the staff member and the administrator who made the decision being appealed.

g. Recommendation of the SAHB. The SAHB shall issue a written recommendation to the President or his or her designee within ten (10) working days after the hearing is concluded. If the President has a conflict of interest, the recommendation shall be made to the Provost and if the Provost also has a conflict of interest the recommendation shall be made to the Vice President for Finance and Administration who shall complete the process as described below. The chair of the SAHB shall provide a copy of the recommendation to the employee, the employee’s representative if any, the assistant vice president for human resources, and the administrator whose decision is being appealed.

h. The President or his or her designee shall issue a written decision to the employee within ten (10) working days after receipt of the recommendation. If the decision is materially different from the recommendation of the SAHB, the reason(s) for the difference(s) shall be set forth in the decision. A copy of the decision shall be provided to the employee, the employee’s representative if any, the SAHB, the assistant vice president for human resources, and the administrator whose decision is being appealed. The decision of the President may not be appealed to the regents as described in their policies, see section A-2 above and the Regents Policy and Procedures Manual section IIM2.

D-2. Other Procedures.

a. Hearings, generally, are held in Moscow. Employees who use the appeals process whose work locations are not in Moscow may request the chair of the SAHB to arrange for a video or telephone conference assisted hearing for the convenience of the employee appealing or, when feasible, to move the hearing to the location where the employee works.

b. Scope of SAHB’s Authority. The SAHB has no authority to declare a statute or regulation unconstitutional or to interpret a statute or regulation. In all appeals, the SAHB shall determine whether the employee has proven the matter at issue by a preponderance of the evidence.

c. Closed Hearing. Every hearing shall be closed and only those participating may attend, unless the parties agree otherwise in writing. A party may be represented by a person of his or her choice. The representative may be an attorney.

d. UI shall provide the employee with all records relied on in making the decision being appealed.

e. The chair of the SAHB, in consultation with the parties and except as provided in this policy, shall have the authority to set rules to govern the conduct of the appeal process and hearing. The hearing itself shall be conducted in an informal manner. The chair of the SAHB, with or without objection, may exclude evidence that is irrelevant, unduly repetitious, or protected by a privilege recognized in the courts of Idaho. All other evidence may be admitted if it is of a type commonly relied upon by prudent persons in the conduct of their affairs.

f. Settlement negotiations are confidential and shall not be disclosed, unless all participants in the negotiation agree to the contrary in writing. Facts disclosed, offers made, and all other aspects of settlement negotiations (including agreements reached) are not part of the file maintained by HR following a hearing. [ed. 9-06]

g. If the employee fails to appear at the hearing, the chair of the SAHB shall dismiss the employee’s appeal. Such dismissal may be rescinded only for good cause shown as determined by the chair of the SAHB.

h. The SAHB chair has responsibility for retrieving all documents used in the hearing process from all members of the SAHB and the UI. The chair shall deliver the documents used in and generated by the hearing process to HR. HR shall maintain a complete set of these documents for seven (7) years from the date of the decision of the President and thereafter shall destroy them. [ed. 9-06]
D-3. This policy shall be liberally construed to secure just, speedy and economical determination of all issues presented. The Idaho Rules of Civil Procedure and the Idaho Rules of Evidence do not apply to these proceedings.

(Form on Next Page.)
Employee Grievance and Appeal

This form may be used for appeals being filed pursuant FSH 3860 (classified employees) or FSH 3890 (exempt employees).

Date_________________________________ Department__________________________________________________

Employee’s Name and Title__________________________________________________________________________

Please indicate whether you are a Classified or an Exempt employee:  _______________________________

Name and Title of Person (s) Grievance is being filed against________________________________________________

Brief Description of Employee’s duties (or attach HR position description):

State the decision being appealed:

State grounds for appeal (use additional sheet if required):
When completing this section of the Staff Employee Grievance and Appeal of Due Process Final Decision form, please attach a copy of the applicable policy or regulation (Faculty-Staff Handbook). Also include any relevant documentation or references that support your grievance.

Requested Action:

Will you be represented in this proceeding   Yes_________ No_________

If you will be represented provide person’s name and telephone number.

Unless the employee requests otherwise, the Staff Affairs Committee/ Staff Affairs Hearing Board will send all correspondence and notices regarding this matter to an employee’s representative. If you wish to have all correspondences and notices sent to you, the employee, rather than your representative please state so.

Employee’s Signature and date:

________________________________________________________________________________________

Staff Affairs Hearing Board Chair’s signature and date:

__________________________________________________________________________

Completed Staff Employee Grievance and Appeal of Due Process Final Decision forms must be submitted to Human Resources Services either in person or by mail. The HR mailing address is: PO Box 444332 Moscow, ID 83844-4332. An appeal from a decision made under the Due Process Procedure (FSH 3860) must be received or postmarked within 10 working days after receipt of the written notice of Final decision being appealed. The notice of final decision is deemed received on the date personally delivered or three working days after deposited in the United States mail, postage prepaid.
## Appointed by Committees

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<td>Anderson, Mark</td>
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<td>Drown, Stephen R.</td>
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</table>
## Appointed by Committees

### Faculty Affairs Committee
- **Schwarzlaender, Mark**  
  PSES/2339  
  5-9319  
  markschw@uidaho.edu
- **Caisley, Robert**  
  Theatre Arts/3074  
  885-7399  
  rcaisley@uidaho.edu
- **Hartzell, Trish**  
  Biological Sci/3051  
  885-0572  
  hartzell@uidaho.edu
- **Ellison, Brian A.**  
  Pol Sci/3165  
  5-6178  
  bellison@uidaho.edu

### Faculty Appeals Hearing Board
- **Seyedbagheri, Mir M**  
  Elmore Ext./Mountain Home  
  587-2136  
  mirs@uidaho.edu
- **Yopp, David**  
  Math and C&I/1103  
  5-6220  
  dyopp@uidaho.edu
- **Banks, Anna**  
  Theatre & Film/3074  
  885-7450  
  annab@uidaho.edu
- **Holyoke, Laura**  
  ACTE/4021  
  885-7606  
  holyoke@uidaho.edu
- **Locke, Kenneth D.**  
  Psychology/3043  
  885-4453  
  klocke@uidaho.edu
- **Hunter, Benjamin A.**  
  Library/2350  
  885-5858  
  bhunter@uidaho.edu

### Grievance Committee for Student Employee
- **Barton, Benjamin**  
  Psychology/3043  
  885-6515  
  Barton@uidaho.edu

### Honors Program Committee
- **Penoncello, Steve**  
  MechEngr/0902  
  5-9048  
  stevep@uidaho.edu
- **Bathurst, Pamela**  
  Music/4015  
  885-6714  
  pamelab@uidaho.edu

### Information Technology Committee
- **Henrich, Kristin J.**  
  Library/2350  
  885-6514  
  khenrich@uidaho.edu
- **Tonina, Daniele**  
  Civil Engr./1022 Boise  
  364-6194  
  dtonina@uidaho.edu
- **Jensen, Jennifer**  
  Extension Bonners Ferry  
  267-3235  
  jenjensen@uidaho.edu

### Intellectual Property Committee
- **Lieske, Sandy**  
  Engineering Boise/83702  
  364-4568  
  lieske@uidaho.edu
- **Sharma, Sunil**  
  Civil Engr./1022  
  885-6403  
  ssharma@uidaho.edu

### Library Affairs Committee
- **Ryu, Dojin**  
  Food Sci. 2312  
  885-0166  
  dryu@uidaho.edu
- **Reineke, Sandra**  
  Pols/3165  
  885-7618  
  sreineke@uidaho.edu

### Officer Education Committee
- **Reese, Garth**  
  Library/2351  
  885-5813  
  garthr@uidaho.edu

### Sabbatical Leave Evaluation Committee
- **Kenyon, Jeremy**  
  Library/2350  
  885-7955  
  jkenyon@uidaho.edu
- **Wendland, Kelly**  
  CSS/1139  
  885-7044  
  kwendland@uidaho.edu

### Safety and Loss-Control Committee
- **Stelck, Daniel**  
  Chemistry/2343  
  885-2146  
  daniels@uidaho.edu
- **Tsao, Ling-Ling**  
  Fam. & Con. Sci/3183  
  885-7321  
  ltsao@uidaho.edu
- **Putsche, Laura**  
  Soci/Anth/JS/1110  
  885-6189  
  lptutsche@uidaho.edu

### Student Financial Aid Committee
- **Deringer, Nancy**  
  FCS/3183  
  5-7264  
  deringer@uidaho.edu
- **Hall, Cassidy**  
  Curr.&Instr./3080  
  5-9084  
  cassidyh@uidaho.edu

### Teaching & Advising Committee
- **Johnson-Leung, Jennifer**  
  Math/1103  
  885-6742  
  jenfns@uidaho.edu
- **Wilhelmsen, Cheryl**  
  Idaho Falls Ctr. HigherEd  
  282-7992  
  cherylw@ui.uidaho.edu
### Appointed by Committees

<table>
<thead>
<tr>
<th>Committee</th>
<th>Name</th>
<th>Department/Office</th>
<th>Phone</th>
<th>Email</th>
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</table>
### University Budget & Finance Committee
- 636  Hardy, Brooke R.  
  Law/2321  
  5-6309  
  bhardy@uidaho.edu

### University Committee for General Education
- 289  Bitterwolf, Tom  
  Chemistry/2343  
  885-6361  
  bitterte@uidaho.edu
- 446  Coleman, Mark  
  Forest Resources/1133  
  885-7604  
  mcoleman@uidaho.edu
- 144  Prorak, Diane  
  Library/2350  
  885-2508  
  prorak@uidaho.edu
- 76  Hammel, John E.  
  College of Agriculture/2331  
  885-6446  
  jhammel@uidaho.edu

### University Curriculum Committee
- 330  Hart, Patricia  
  Journ. & Mass Med./3178  
  885-6012  
  psh@uidaho.edu
- 511  Eveleth, Dan  
  Business/3161  
  5-4396  
  eveleth@uidaho.edu
- 90  Johnson, Timothy R.  
  Statistics/1104  
  885-2928  
  trjohns@uidaho.edu

### University Judicial Council
- 152  Saladin, Steve A.  
  Coun. & Test. Ctr./3140  
  885-6716  
  ssaladin@uidaho.edu
- 647  Raja, Krishnan S  
  Chem&Mat.Engr/3024  
  5-6325  
  krsraja@uidaho.edu
- 651  Boris Tarre, Marta  
  Modern Lang.&Cultures/3174  
  5-5079  
  martab@uidaho.edu

### University Multi-Campus Communications Committee
- 648  Scott, Elizabeth  
  Landscape Arch/2481  
  364-4571  
  bscott@uidaho.edu
- 555  Kyrios, Alex  
  Library/2350  
  885-2513  
  akyrios@uidaho.edu
# CoC Appointed by Faculty

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<td><strong>Bilderback, Barry T.</strong></td>
<td>Music/4015</td>
<td>5-1005</td>
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*Friday, April 11, 2014*
CoC Appointed by Faculty

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<td>Hall, Cassidy</td>
<td>Curr.&amp;Instr./3080</td>
<td>5-9084</td>
<td><a href="mailto:cassidyh@uidaho.edu">cassidyh@uidaho.edu</a></td>
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<td>Hammel, John E.</td>
<td>College of Agriculture/2331</td>
<td>885-6446</td>
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<td>Hardy, Brooke R.</td>
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<td>Hart, Patricia</td>
<td>Journ. &amp; Mass Med./3178</td>
<td>885-6012</td>
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<tr>
<td>Hartzell, Trish</td>
<td>Biological Sci/3051</td>
<td>885-0572</td>
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<td>Hollingshead, AlekSan</td>
<td>Curr.&amp;Instr./3082</td>
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<td>Jensen, Jennifer</td>
<td>Extension Bonners Ferry</td>
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<td>Johnson, Timothy R.</td>
<td>Statistics/1104</td>
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<td>Forest,Range,Fire/1133</td>
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<td>Kenyon, Jeremy</td>
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## CoC Appointed by Faculty

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<td>Sharma, Sunil</td>
<td>Civil Engr./1022</td>
<td>885-6403</td>
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<td>Tonina, Daniele</td>
<td>Civil Engr./1022 Boise</td>
<td>364-6194</td>
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<td>Fam. &amp; Con. Sci/3183</td>
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<td>Idaho Falls Ctr. HigherEd</td>
<td>282-7992</td>
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<td>5-6220</td>
<td><a href="mailto:dyopp@uidaho.edu">dyopp@uidaho.edu</a></td>
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POLICY COVER SHEET
(See Faculty Staff Handbook 1460 for instructions at UI policy website: www.webs.uidaho.edu/uipolicy)
[3/09]

Faculty/Staff Handbook [FSH] □ Addition □ Revision* □ Deletion* □ Emergency
Minor Amendment □
Chapter & Title: FSH 1520 – University Constitution

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): ________________________________
(Please see FSH 1460 C)

 name
Telephone & Email: _____________________

Policy Sponsor: (If different than originator.) ________________________________

 name
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.

Proposed language affirms academic freedom in the pretext to faculty responsibilities listed in the University Constitution.

II. Fiscal Impact: What fiscal impact, if any, will this addition, revision, or deletion have? None.

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

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: ____________________________________________

Track # ____________________
Date Rec.: ________________
Posted: t-sheet ________________
h/c ________________
web ________________
Register: ________________
(Office Use Only)

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

FSH
Appr. ________________
FC ________________
GFM ________________
Pres./Prov. ________________
[Office Use Only]

APM
F&A Appr.: ________________
[Office Use Only]

Faculty Affairs, Paul McDaniel March 10, 2014
Name Date

Telephone & Email: _____________________

Policy Sponsor: 
Name Date

Telephone & Email: _____________________
ARTICLE IV--RESPONSIBILITIES OF THE UNIVERSITY FACULTY. Subject to the authority of the president and the general supervision and ultimate authority of the regents, faculty are entitled to speak or write freely without institutional discipline or restraint on matters pertaining to faculty governance and university programs and policies. The university faculty accepts its responsibilities for the immediate government of the university, including, but not restricted to:

Section 1. Standards for Admission. The university faculty establishes minimum standards for admission to the university. Supplementary standards for admission to individual colleges or other units of the university that are recommended by the appropriate constituent faculties are subject to approval by the university faculty. [See I-4-D.]

Section 2. Academic Standards. The university faculty establishes minimum academic standards to be maintained by all students in the university. Supplementary academic standards to be maintained by students in individual colleges or other units of the university that are recommended by the appropriate constituent faculties are subject to approval by the university faculty. [See I-4-D.]

Section 3. Courses, Curricula, Graduation Requirements, and Degrees. Courses of instruction, curricula, and degrees to be offered in, and the requirements for graduation from, the individual colleges or other units of the university, as recommended by the appropriate constituent faculties, are subject to approval by the university faculty. [See I-4-D.]

Section 4. Scholarships, Honors, Awards, and Financial Aid. The university faculty recommends general principles in accordance with which privileges such as scholarships, honors, awards, and financial aid are accepted and allocated. The university faculty may review the standards recommended by the individual constituent faculties for the acceptance and allocation of such privileges at the college or departmental levels.

Section 5. Conduct of Students. The faculty’s responsibility for approving student disciplinary regulations and the rights guaranteed to students during disciplinary hearings and proceedings are as provided in the "Statement of Student Rights," the "Student Code of Conduct," and the "Student Judicial System." [See 2200, 2300, and 2400.]

Section 6. Student Participation. The university faculty provides an opportunity for students of the university to be heard in all matters pertaining to their welfare as students. To this end, the students are entrusted with their own student government organization and are represented on the Faculty Senate. If students so desire, they are represented on faculty committees that deal with matters affecting them. [ed. 7-09]

Section 7. Selection of Officers. The university faculty assists the regents in the selection of the president and assists the president in the selection of the provost, vice presidents and other administrative officers of the university.

Section 8. Governance of Colleges and Subdivisions. The university faculty promulgates general standards to guarantee the right of faculty members to participate in the meetings of the appropriate constituent faculties and in the governance of their colleges, schools, intracollege divisions, departments, and other units of the university. [See 1540 A.] [ed. 7-06, 7-09]
POLICY COVER SHEET
(See Faculty Staff Handbook 1460 for instructions at UI policy website: www.webs.uidaho.edu/uipolicy)

Faculty/Staff Handbook [FSH] □ Addition □ Revision* □ Deletion* □ Emergency
Minor Amendment □
Chapter & Title: Academic Freedom, Rights & Responsibility – FSH 3160

Minor Amendment □
Chapter & Title: __________________________________________

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Originator(s): (Please see FSH 1460 C)
Telephone & Email: __________________________

Policy Sponsor: (If different than originator.)
Telephone & Email: __________________________

Reviewed by General Counsel ___Yes X ___No Name & Date: __________________________

1. **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.

   Proposed language explicitly includes faculty governance under academic freedom.

2. **Fiscal Impact:** What fiscal impact, if any, will this addition, revision, or deletion have? None.

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

4. **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: __________________________________________

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

FSH
Appr. ________
FC ________
GFM ________
Pres./Prov. ________
[Office Use Only]

Track # ________
Date Rec.: ________
Posted: t-sheet ________
   h/c ________
   web ________
Register: ________
(Office Use Only)

APM
F&A Appr.: ________
[Office Use Only]
ACADEMIC FREEDOM, RIGHTS AND RESPONSIBILITY

PREAMBLE: This section serves as an introduction to the rights and responsibilities of both faculty and staff employees. The following declarations embody the essential elements of both the Board of Regents' policy regarding rights and responsibilities and the 1940 statement of the American Association of University Professors. (As used in this section "teacher" is understood to include all UI professional employees who are engaged in teaching, research, or service activities.) [NOTE: See 4700 C for proscribed subjects of instruction. For additional statements pertaining to the responsibilities of faculty members, see 3120 B, 3240, 3260, 4310, 4700, 5100, 5200, 5300, 5400.] This section appeared in the 1979 Handbook. Section B-3a/b was added in June 1989 and B-3-c in July 1996 (reflecting the Board of Education's Policies and Procedures III-B-3). For further information, contact the Office of the Faculty Secretary (208-885-6151). [ed. 7-97, 7-00]

A. POLICY. The Board of Regents has affirmed its beliefs that academic freedom is essential for the protection of the rights of faculty members in teaching and of students in learning; that freedom in research, and teaching, and faculty governance is fundamental to the advancement of truth; that, therefore, academic freedom should not be abridged or abused; and that academic freedom carries with it responsibilities correlative with rights. (State Board of Education, Governing Policies and Procedures, IIIB.)

B. RESEARCH AND TEACHING RIGHTS AND RESPONSIBILITIES.

B-1. Research. Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other duties, but research and consulting (see FSH 3260) for pecuniary return should be based on and consistent with the established written policies of the institution.

B-2. Teaching. Teachers are entitled to freedom in the classroom in discussing their subjects, but they should be careful not to introduce into their teaching controversial matter that is unrelated to their subjects. [ed. 7-97]

B-3. Faculty Governance. Teachers are entitled to speak or write freely without institutional discipline or restraint on matters pertaining to faculty governance and university programs and policies (see FSH 1520 Article IV, Section 8).

B-34. Responsibilities.

a. Membership in the academic community imposes on teachers, administrators, other institutional employees, and students an obligation to respect the dignity of others, to acknowledge the right of others to express differing opinions, and to foster and defend intellectual honesty, freedom of inquiry and instruction, and freedom of expression on and off campus of the institution.

b. Teachers are citizens, members of learned professions, and representatives of their institutions. When they speak or write as citizens, they should be free from institutional censorship or discipline. However, as members of the academic community and as representatives of their institutions, they should at all times be accurate, exercise appropriate restraint, show respect for the opinions of others, and make every effort to indicate that they do not officially speak for the institution.

c. Faculty members must refrain from using institutional resources for the furtherance of their interests or activities which are not a part of their assigned responsibilities to the institution.
Section 9. Faculty Welfare. The university faculty recommends general policies and procedures concerning the welfare of faculty members, including, but not limited to, appointment, reappointment, nonreappointment, academic freedom, tenure, working conditions, promotions, salaries, leaves, fringe benefits, periodic evaluations, performance reviews, reassignment, layoff, and dismissal or termination.

Section 10. The Budget. Members of the university faculty participate in budgetary deliberations, and it is expected that the president will seek faculty advice and counsel on budgetary priorities that could significantly affect existing units of the university. [See 1640.20, University Budget and Finance Committee.] [ed. 7-05]

Section 11. Committee Structure. The university faculty, through the medium of its Faculty Senate, establishes and maintains all university-wide and interdivisional standing and special committees, subcommittees, councils, boards, and similar bodies necessary to the immediate government of the university and provides for the appointment or election of members of such bodies. This section does not apply to ad hoc advisory committees appointed by the president or committees made up primarily of administrators. [See 1620 and 1640] [ed. 7-97, 7-09]

Section 12. Organization of the University. The university faculty advises and assists the president and the regents in establishing, reorganizing, or discontinuing major academic and administrative units of the university, such as colleges, schools, intracollege divisions, departments, and similar functional organizations.

Section 13. Bylaws of the Faculty Senate. The bylaws under which the Faculty Senate discharges its responsibilities as the representative body of the university faculty are subject to review and approval by the university faculty. [See 1580.] [ed. 7-09]
Memorandum

To: University Curriculum Committee
From: Jeanne Stevenson, Vice Provost for Academic Affairs
Re: Request to Identify Online Programs in the Catalog
Date: April 9, 2014

Background
The University of Idaho has degree and certificate programs that can be accessed fully online from a distance. At this time, we do not designate those programs in the Catalog. We anticipate additional programs accessible online in the future. This is a first step in formalizing the representation of these programs in the Catalog.

Request
This request is for approval to designate the following existing online degree and certificate programs as available online in the Catalog:

Education
- M.Ed. Curriculum and Instruction
- M.Ed. Educational Leadership (Principal Endorsement)
- M.Ed. Physical Education and Activity Pedagogy
- M.Ed. Education (Special Education certification)
- M.S. Adult/Organizational Learning and Leadership
- Ed.S. Educational Leadership (Superintendent Endorsement)

Engineering
- Civil Engineering (M.Engr.)
- Computer Engineering (M.S., M.Engr.)
- Computer Science (M.S.)
- Electrical Engineering (M.S., M.Engr.)
- Engineering Management (M.Engr.)
- Geological Engineering (M.S.)
- Mechanical Engineering (M.Engr.)
- Technology Management (M.S.)
- Academic Certificates
  - Analog Integrated Circuit Design
  - Applied Geotechnics
  - Communication and Control for Power Transmission and Distribution
  - Electric Machines and Drives
  - Power System Protection and Relaying
  - Process & Performance Excellence
  - Secure and Dependable Computing Systems
  - Structural Engineering
Letters, Arts, and Social Sciences
• MS Psychology (Human Factors)

Natural Resources
• Master of Natural Resources
• Academic Certificates
  o Restoration Ecology Certificate
  o Environmental Education Certificate
  o Fire Ecology, Management, and Technology Certificate

Science
• MAT Mathematics
• MS Statistical Science

Definition of Terms
The operating definitions used to guide this request and for future requests are as follows (with focus on online degrees at this time and consistent with Department of Education and regional accreditation language and expectations):

Online Degree
An online degree is an academic degree for which all of the requirements for the degree could be completed via distance. Distance education is education that delivers instruction to students who are separated from the instructor and supports regular and substantive interaction between the students and the instructor synchronously or asynchronously. An online degree must be consistent with the mission and educational objectives of the University of Idaho. An online degree must maintain the same academic standards as those offered on campus.

Hybrid Degree
A hybrid degree is an academic degree that includes both on-site classroom work and a significant amount of coursework that could be completed out of the classroom. A hybrid degree must be consistent with the mission and educational objectives of the University of Idaho. A hybrid degree must maintain the same academic standards as those offered on campus.

Thank you for your consideration of this request.
Note: It is the intention of the University of Idaho that effective August 24, 2015, all University of Idaho properties will prohibit the use of cigarettes, e-cigarettes, cigars, snuff, snus, water pipes, pipes, hookahs, chew, and any other non-combustible tobacco product. The intent of the proposed tobacco-free policy is to improve the health and safety of all students, staff, faculty, and visitors.

Current University Policy below (effective through August 23, 2015)

A. General. The university recognizes that (1) health hazards are associated with using tobacco products, (2) exposure to secondhand smoke can adversely affect the health of nonsmokers, (3) exposure to tobacco smoke can be unpleasant and distracting for nonsmokers, (4) smoking can ignite fires, and (5) smoking can transfer toxic materials from hand to mouth. This section outlines applicable state law and UI policy with regard to smoking.

A-1. Regulatory Requirements. Idaho Code, Title 39, Chapter 55 and Idaho Administrative Code, IDAPA 16.02.23 prohibit smoking in any publicly-owned building or educational facility.

B. Buildings, Facilities, Areas Occupied by State Employees.

B-1. No Smoking. Except as stated in B-2, smoking of any tobacco product including cigarettes, cigars, and pipes or any other product producing smoke is prohibited in all state-owned or state-leased buildings, facilities, vehicles, or areas occupied by state employees.

B-2. Exception. Smoking is permitted in full-time residential facilities owned or leased by UI in accordance with the rules established by the Director of University Residences.

B-3. Outside Smoking Locations. Smoking is prohibited within 25 feet, or at a distance determined by the Director of Environmental Health and Safety, in areas where smoke will be drawn into and affect the air inside buildings, such as at entrance, exits, building openings, open windows, air conditioners, or air-supply intakes.

C. High-Hazard Areas. The Director of Environmental Health and Safety may prohibit smoking in any area outside a building or facility or in a residence hall, if combustible or toxic materials or any other conditions make it a particular hazard to smoke.

D. Violations of Smoking Policy. Smoking in a nonsmoking area is a violation of this policy and may result in discipline by a supervisor. Sanctions may range from warnings through dismissal. The administrator or other employee with responsibility for a building, vehicle, or work area is responsible for enforcing this policy in his or her building or work area.

E. Information. For additional information regarding smoking policy, please contact the Environmental Health and Safety Office at (208) 885-6524. [rev. 12-09]