University of Idaho
2013-2014 FACULTY SENATE AGENDA

Meeting #9
3:30 p.m. - Tuesday, October 29, 2013
Horizon, Commons
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 #8, October 22, 2013 (vote)

III. Chair’s Report.

IV. Provost’s Report.

V. Other Announcements and Communications.

VI. Committee Reports.
   
   University Budget & Finance Committee (Crowley)
   Faculty Affairs (McDaniel)
   • FS-14-009: FSH 1565 – Ranks and Responsibilities – emeritus title (vote)
   • FS-14-010: FSH 3520 – Tenure - hiring with tenure (vote)
   • FS-14-011: FSH 6520 – Public Records (vote)
   • FS-14-012: APM 65.03 – Public Records (FYI)
   University Curriculum Committee
   • FS-14-013 (UCC-14-027): Regulation D-1 (Stevenson/Hafen)(vote)
   University Judicial Council
   • FS-14-014: FSH 2305 – Amnesty and Safe Harbor (Shook)(vote)

VII. Special Orders.

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 #8
FS-14-009 through 014
A quorum being present, Senate Chair Hartzell called the meeting to order at 3:30pm.

**Minutes:** It was moved and seconded (Awwad-Rafferty, Brandt) to approve the minutes of meeting #7. Motion carried.

**Chair’s Report.** The Chair reported on the following items:

- Thanks to senators who have been attending the early morning meetings with presidential candidates. Senators are encouraged to attend the faculty senate meetings with the remaining two candidates: Dr. Charles Staben on Thursday, October 24 and Dr. Laurie Stenberg Nichols on Tuesday, October 29. These meetings are scheduled for 8am in the Commons – Horizon Room.

- Chair Hartzell and Senator Bird met with Chris Cooney, senior director of marketing, and Stephanie Bales, director of integrated communications, to discuss concerns about the Focus for the Future. Chair Hartzell and Senator Bird suggested that a website be created for people to find information, FAQs, information from the 2008 prioritization process and so on. WSU is undergoing a program prioritization process and they have created an excellent website to keep faculty informed, available at this link: [http://academic-prioritization.wsu.edu/](http://academic-prioritization.wsu.edu/)

- Focus for the Future (FFF) criteria and weightings include the following: centrality (5), external demand (4), internal demand (4), quality (5), size and scope (3), productivity (3), cost effectiveness (4), impact (4) and synergies (3). The proposed timeline for FFF indicates that units are currently working on applying metrics to the criteria. A status report will be presented to Faculty Senate on December 3, 2013. All materials will be submitted to the State Board of Education on July 14, 2014.

- Chair Hartzell met with Dr. Bruce Pitman, dean of students, to discuss on-going work with the Student Code of Conduct (SCC). She explained that senate will keep Dr. Pitman informed on the work and will provide full access to everything that the University Judicial Council (UJC) proposes in regard to the SCC. Dr. Pitman or Erin Agidius, program specialist, will meet occasionally with the UJC. Chair Hartzell suggested working together on a FAQ sheet for the process, too, in an effort to cut down on the misinformation currently circulating.

- Chair Hartzell and Ann Thompson, assistant to the faculty secretary, met with UJC on October 18 for three hours to work on revising the amnesty policy portion of the proposed SCC. Those present also discussed combining multiple sections from the *Faculty-Staff Handbook* that deal with disciplinary actions into one unified section. The revised Article V: Amnesty and Safe Harbor policy has been sent to ASUI for approval and to Bruce Pitman. It will become a separate policy as breaking components of the code into separate policy sections makes it easier to edit them in the future. We plan to bring this to Senate for a vote next week.
• Provost Aiken needs our help in populating the university-level promotions committee. Senators are asked to nominate faculty from their colleges to fill the committee. Additional information:
  o Nominations to this committee are the responsibility of senators – do not ask deans to provide names.
  o Four nominees are needed from the College of Letters, Arts and Social Sciences. All other colleges require two nominees.
  o These are nominations only.
  o The term of service is one year; four members of this year’s committee will be asked to return for a second year.
  o An orientation meeting will be held in early December.
  o Packets will be delivered to committee members for review in mid-December.
• University-level promotions committee will meet in February.
• Senators last week engaged in a good discussion about a suggested UI smoking ban. The data indicate that peer pressure and fines work best to get people to change their habits. Fines are difficult to enforce, so perhaps we can focus on peer pressure.
• National Public Radio journalist Maria Hinojosa will be the keynote speaker for Hispanic Heritage Month on Thursday, October 24, at 7pm in the SUB Ballroom. A reception to meet and greet Ms. Hinojosa is scheduled for 4:30-6pm in the SUB Ballroom.

Provost’s Report. Provost Aiken reported on the following items:
• It is in our interest to be present and to encourage our colleagues to be present at the presidential candidates’ meetings because it lets them know that the UI community is interested.
• Peer working groups dealing with classification studies have been engaging in their work and will provide their reports to the Provost by Friday, October 25. In a parallel process unit leaders have sent “outliers,” i.e., positions that seem to not be quite in sync with others to Ron Smith, vice-president for finance and administration, and he has passed that information on to the consultants. The consultants are looking at that list to determine whether it is telling us something about the system that we ought to be paying attention to. We will be taking those two pieces of information, i.e., the peer group reports and consultants’ review of that information, and putting it together to come up with a definitive decision about what the classification groups are and who is in which classification group. At that time the appeals process will be reopened. A goal is to complete the process before the winter break.

Office of Public Safety and Security. Chair Hartzell next introduced Matt Dorschel, executive director for the office of public safety and security established in September 2012 through a merger of other UI units. Mr. Dorschel briefly outlined the organizational structure of his office, which includes Risk Management, UI Security/Allied Barton, Environmental Health & Safety and Emergency Management. His office has recently developed a comprehensive emergency management plan that was recently disseminated via their website. They are in the process of developing a crisis communications plan. Compliance with the Jeanne Clery Act is a big part of safety and security and Mr. Dorschel welcomes senators’ help with this. The Clery Act requirements for colleges and universities:
• Publish an annual security report;
• Have a publicly available crime log;
• Disclose crime statistics;
• Issue timely warnings about Clery Act crimes which pose a serious or ongoing threat to students and employees;
• Devise an emergency response, notification and testing policy;
• Compile and report fire data to the federal government and publish an annual fire safety report;
• Enact policies and procedures to handle reports of missing students;
• Mr. Dorschel also referenced the Administrative Procedures Manual (APM) for further information regarding employee responsibilities in reporting incidents or behaviors of concern. The Threat Assessment and Management Team addresses each incident/behavior. Mr. Dorschel also suggested that faculty and staff keep a red file folder with all emergency information in it, so that in the case of emergency an employee is able to readily find necessary information.

Mr. Dorschel responded as follows to senators’ questions and comments:
• How do first-year students sign up for Vandal alerts [a phone and email service that provides emergency information] and how may we encourage them to do so? Students are able to opt out of the Vandal Alert service but most students are enrolled in it when they register, but many students do not register their smartphones.
• In one case the test alert instructed us to drop to the floor and roll under a table. What about people who are in wheelchairs? Can you provide information for people who need assistance, too? That’s a great suggestion and we will try to come up with ways to communicate that information.
• Is there some way you can make the email Vandal Alerts stand out from other email? If someone has 50 email messages in their mailbox, they may not notice the Vandal Alert. That is a good suggestion, too, as we do want these messages to stand out.
• Do we provide security and hotline information to all UI students? Yes, we participate in all of the orientation sessions and provide a lot of reference materials through the dean of students’ office programs. We also reach out to all students who live on campus through presentations and programs.
• When do we call campus security and when do we call 911? On-campus security are not sworn security officers. They do not carry weapons nor pepper spray nor are they trained in the use of force. If you experience a crime or an emergency that requires medical support, police or fire department, 911 is the first call. If it is a non-emergency security issue, you can call the 24/7 security number.
• I am worried about students who will not call 911, even if their life is at risk. Can we tell them to use that number if they are out walking in the snow in winter, and someone will pick them up? Yes, they can definitely use that number and someone will make the effort to find them.
• Is the Clery Act reporting information available on the website? Yes. We recently published the 2012 statistics and those are available on the website. Those who would like a printed copy of the report may request one from Mr. Dorschel via email: mdorschel@uidaho.edu

For additional information: http://www.uidaho.edu/public-safety-and-security

Faculty Evaluations. Chair Hartzell next invited Provost Aiken to provide information about faculty evaluations. Provost Aiken said that she felt she was entering the conversation in the middle and that she feels the language in the Faculty Staff Handbook is very clear on this matter regarding what is supposed to happen with evaluations and the calibration for them. Faculty Affairs Committee at one time suggested looking at best practices elsewhere and perhaps consider another process, which Provost Aiken would endorse if there is interest. Provost Aiken then responded to senators’ questions and comments as follows:
• Last year there was a cap at 3 on the evaluations, even though the evaluation scale allows for 1-5. This was never the case in my position as dean, at least nobody ever put a cap on that they
told me about. As I look back at annual evaluations across colleges, that is not evident to me there, either.

- **Does this relate not only to faculty but to all evaluations and concerns about stepping back from indicating decimal percentages?** For example, some people work really hard and get a 3 – maybe it is not a 4 but perhaps it is a 3.5? Decimal points are used in the various categories but not in the final cumulative score. For example, one could get a 3.75 in teaching, but just not have a decimal point in the final number box.

- **In the last five years I have seen junior faculty who work hard and are decimated by receiving a 3 score on their evaluations. No matter what they do, they receive a 3. Faculty evaluation process is very clear and the policy is not the problem. It is the interpretation of the document by different colleges and individuals.** When the evaluation process is completed in January, the faculty should not feel like they are not very good. I do not understand how faculty are hired in August and made to feel that they are the greatest thing since sliced bread and a few months later in January, those same faculty are a 3 on a 1-5 scale. I want to be very clear about the 3. According to the policy this is not like a “grade.” A 3 is “meets expectations” and if a faculty member puts in the position description that “these are the expectations” and you meet that – I believe that can be indicative of stellar performance. My standard response to that is we have very high expectations, we put them in the position description, you meet those and you are evaluated accordingly. As a person who has never gotten anything beside a 3, I do not really understand why this is an issue.

- **When a faculty member sees a 3 on a 1-5 scale, a 3 is a 3. It does not matter how the administration interprets it, a faculty member sees a 3. Either it is not being educated well-enough or understood well-enough – but the faculty sees it as a 3, a 3 in a relationship to a 1-5 scale.** The Faculty-Staff Handbook is very clear about what the process is and the position description is the critical piece of that. Faculty and administrators have agreed upon the description initially. If a person does the things that the position description indicates they should do, and we have high standards, then that is the 3. There are circumstances where a 4 or a 5 are warranted. Maybe we are not communicating well or training well, but the idea that a faculty member should be disappointed by that evaluation is not the intent of the policy as I am reading it or the scale as the faculty have established it. When asked how to improve the process, every one of the university-level promotion committees in the past five years has asked that we ensure that the evaluation process is realistic and genuine. That is one of our challenges.

- **I am going through the promotion and tenure process and there is a misperception by external reviewers regarding 3 on evaluations. External reviewers see 4 and 5 as good, but 3 is not good. This is something we need to take into consideration with tenure and external reviewers.** Perhaps we need to explain our criteria in our letters to external peer reviewers, although in my time as dean I never had evaluations of 3 impact anyone’s external letter or their tenure and promotion case, unequivocally. And this was in UI’s largest college.

- **I agree with an earlier comment, the issue is not the Faculty-Staff Handbook; rather, the issue is how the evaluation process is being used. The idea of “meets expectations” is easy to say, but it really is a subjective thing.** For example, last year one departmental administrator decided that a perfect 4 on your teaching evaluations was “meets expectations,” which means there is no way to get anything higher than a 3. There are two issues: different departments may use “meets expectations” in different ways; and this approach creates compression – doing a bad job results in a 2 but you have to be really exceptional to get a 4. All others are in the middle and it becomes difficult to differentiate when the day comes that we do get merit-based increases. That is a legitimate concern and I am interested in any suggestions you may have for eliminating subjectivity. I am not sure of how one would do that. If a person who is doing evaluations is not fair and equitable within the group, that is a concern for me and I would want to direct attention
to that immediately. But how we can norm across the university — I do not have an idea of how to do that and I would certainly like to hear ideas about that. Also, I would never say that 4.0 on teaching evaluations is “meets expectations.” There are other things than student evaluation of teaching that can enter into the teaching portion of the evaluation. For example, recognition from your professional association, receiving a university teaching award or developing a new course.

- Some faculty go forward to the university-level promotion committee with 3s and 4s for the entire time that they have been at UI and yet they are denied promotion. That is a problem and it happens a lot. Something is not right there. This is why it is important that the evaluations genuinely reflect performance otherwise it is a difficult case to make as to why someone has received an unsuccessful 3rd year review or has been denied tenure and promotion.
- “Meets expectations” sounds like damning by faint praise. There is something about “meets expectations” that sounds as if someone is doing just enough to ‘get by.’ Perhaps we could make a minor change to the wording of “meets expectations” to make it sound less of a “downer”? Maybe it is what we call the numbers that is the issue? Maybe “you achieved the goals set out for you” is a better way to phrase “meets expectations”?
- At a meeting in our unit faculty were very upset about evaluations and a faculty member said “I would have felt better if I had gotten a 3.5 or if one of us had gotten a 4, but when the entire group gets 3 it seems like there is something radically wrong and it has been going on for a period of time. Since we have not been getting raises, it would be nice to have something on an evaluation that says that we are doing a pretty good job.
- Evaluations are not a transparent process and ultimately it would be helpful to see how our scores relate to others’ scores.
- Perhaps departments could provide a list of what each number means as far as grants, publications, presentations, awards and so on. That may be what some departments do, but I want to return again to the Faculty-Staff Handbook which talks about the position description. If the position description says, for example, that the expectation is for you to publish three articles and you publish five articles, that rates more than a 3. If you do all of the things set out in the position description, which represents high expectations, you have “met expectations.” That is not underperformance.
- One potential problem is that a faculty member may “low-ball” their position description and for example, state that they will apply for zero grants in the coming year. We would hope the unit administrator would take issue with that sort of goal.

Other evaluation concerns: faculty should be required to achieve similar levels of success; another issue is consistency across time and faculty — if one faculty member publishes five papers and another publishes ten, that difference should be recognized; also, we currently have no metrics which further contributes to the problems of consistency across evaluations within units.

Chair Hartzell said she would refer this matter to the Faculty Affairs Committee for further discussion and recommendations.

Ubuntu. Chair Hartzell next introduced Professor Jeff Dodge, chair of the Ubuntu committee. Professor Dodge briefly described the committees past work and plans for the future. One potential future project would be to work on recruitment and retention of diverse student populations, in light of new financial aid policies. Ubuntu may have a joint meeting with the President’s Diversity Council to discuss issues relating to recruiting and retaining multicultural students. A second area that Ubuntu will be working on this coming year has to do with the committee’s charge relating to accommodation issues. Ubuntu will work with Disabilities Support Services (DSS) and will develop its liaison role with the ADA Advisory Committee. Some concerns include facilities access issues and disability accommodation issues relating
to online learning. As Ubuntu chair, Professor Dodge will meet with DSS to further discuss their role and communication with Ubuntu.

Professor Dodge responded as follows to senators’ questions:

- **Could you explain more about financial aid policies and changes as they may affect student recruitment and retention of diverse populations?** Committee members raised concerns about a new grid system that has been put in place that include SAT/ACT scores, along with GPA and merit awards associated with that. These are highly publicized now and appear on our website and in promotional materials for residents and non-residents. There were concerns that retroactively looking at last year’s enrollment in CAMP (College Assistance Migrant Program) – only half of the UI students who had received CAMP scholarships last year would have qualified for scholarships under the new grid if it had been in place last year. For this reason Ubuntu members have concerns about the impact of new financial aid and scholarship policies on recruitment and retention of diverse students.

- **What about retention? Faculty need better tools for working with students.** Ubuntu has discussed the need for a more centralized resource regarding retention services that are available and types of populations served so that we may better direct students to services they may need when making decisions. We need to understand and be aware of the services that exist at UI.

- **I worry about students for whom finances are not a problem but who need to improve their grades. As a faculty member I need more tools for working with these students.** I will take that back to the committee.

- **For diverse students, if there are problems, I have people I can call and I get an instant response. But whom do I call for help with young, white men, freshmen. They are having problems, too, but I literally do not know whom to call to get that huge response from someone who jumps right in to help.** Ubuntu currently focuses on diversity, human rights, inclusivity and ADA accommodation. I am happy to bring forward the suggestion that we need more communication about these resources not only in a multicultural or diverse sense, but in other areas as well.

**Teaching and Advising Committee.** Chair Hartzell then introduced Chris Lighty, a member of the Teaching and Advising Committee and research analyst with institutional research and assessment, to speak about student evaluations. Ms. Lighty reported that Teaching and Advising Committee (TEAC) is charged with reviewing student evaluations every five years. The process began last year and is continuing this year. At this point TEAC has identified those things that they do not like about the current student evaluations and have begun formulating recommendations, but they are not yet ready to submit those recommendations.

Ms. Lighty responded as follows to senators’ questions:

- **Is there a plan to extend student evaluations into finals’ week? [several senators voiced support for doing this]** That is one of the things that we are looking at.

- **One of the questions on the evaluation form asks “Was the instructor helpful to you outside of class time, such as in office hours and by email?” I can see this question generating different kinds of responses based on different class configurations, for example, big lecture vs. smaller classes or seminars.** Yes, these are the questions and concerns that committee members have also brought forward.

- **Is it within the purview of your committee to suggest appropriate ways that these evaluations might be used to improve teaching?** We could think about this, but I do not want to get into too much detail because we are still discussing this – but, we have also talked about questions that ask for a little more detail and ask students about what went on in the classroom. We may ask
these types of questions at the beginning of the evaluation to set a context for the remainder of the evaluation questions.

- If you do make changes that ask for more learning outcomes, is there a way we can collect data in aggregate? For example, maybe we want to look at critical thinking and then collect that data from everyone? Do you mean including a question such as “Is your instructor challenging you to think?” Yes, it would be aggregated across the university for all those who use that question.

- Student evaluations are a big problem. I have read a number of studies that indicate problems with education began when we began using student evaluations because there was a big changeover in trying to make students happy instead of trying to really get them to learn. We probably have to have student evaluations, but I see some issues with them.

**Faculty Affairs Committee.** Chair Hartzell then introduced Professor Paul McDaniel, chair of the Faculty Affairs Committee, to briefly introduce two items that will be coming to senate for a vote next week. Chair Hartzell described the items as “gifts” to Provost Aiken.

**FS-14-009: FSH 1565 – Ranks and Responsibilities,** emeritus title. The unwritten charge to Faculty Affairs Committee (FAC) was to tighten up the requirements for emeritus status, just a bit so that it would be a true honor to faculty who are granted the title. The current wording allows any faculty member who is 55 years or older and meets the rule of 65 (which is age plus years of service) would be eligible for emeritus status. As currently written, this policy allows for someone to come to UI at age 60, work a few years, retire at 65 and be eligible for emeritus status—and this was obviously not the intention of the policy. FAC reviewed policies at other institutions in the region and across the country and their requirements for emeritus status varied widely. FAC recommends adding a statement that requires a minimum of eight years of service. The rationale is that a faculty member will have at least undergone administrative review or the tenure and promotion process in the course of eight years. The other change is to add “at the University of Idaho” to FSH 1565 E-3-a since UI cannot control whether someone holds a full-time position elsewhere after leaving UI.

**FS-14-010: FSH 3520 – Tenure,** hiring associate professors with tenure. Current wording in the Faculty-Staff Handbook allows for hiring full professors with tenure but not associate professors. FAC feels that in some cases it may be desirable to bring in an associate professor with tenure, but only if that person has attained tenure at another institution comparable to UI. Also, before any negotiations may begin with this prospective faculty member, the action of granting tenure must be supported by a majority vote of the tenured faculty of the hiring unit.

Discussion points:

- The phrase “having already attained tenure at an institution comparable to UI” is a good choice in most cases. But some institutions, such as Harvard, do not grant tenure until a faculty member goes forward for promotion to full professor, usually at the ten-year mark. This phrase may cause us to unintentionally exclude some people. Please clarify that this policy would not result in additional scrutiny or review of the tenure process at a sister institution where the person obtained tenure. If that tenure process satisfies the faculty in the hiring college then that vote is sufficient. Professor McDaniel responded that FAC used the wording “at a comparable institution” and for example, someone from Harvard would be taken at face value.

- What about hiring a faculty member who is undergoing tenure review at their current institution? If UI interviewed the candidate now, the search would be concluded by the close of this semester—prior to when the decision would be made regarding tenure at the candidate’s current institution. Are we able to make an offer to that person in which we say “We will hire you with tenure, conditioned upon your successful completion of the tenure process at your current institution”? Chair Hartzell said she felt this could be written into an offer letter.
• What about faculty who have been granted tenure at a “not-comparable” institution? Provost Aiken said that her preference would be for departments to look at the record of candidates and determine whether that record would warrant tenure at the University of Idaho. Make an offer for tenure at the associate professor level, which is a departmental faculty decision. What some other institution did may not be the critical point. What we need to know is what we would have done and are we willing as a faculty to offer tenure?

• Does the tenured faculty become part of the hiring committee if an associate professor is hired with tenure – since the tenured faculty vote on whether to bring the associate professor in with tenure? Professor McDaniel responded that FAC’s purpose is to ensure that a faculty member is not brought in to UI and essentially dumped into an academic unit without input from the faculty. Whether they are part of the hiring committee, I am not sure. But they have a say at some point in the process.

• Perhaps this is a two-step process: the hiring committee makes a recommendation for hiring, then the full professors make the determination about offering tenure. But the tenure question does not mean that they could not be hired – is that correct? Chair Hartzell replied that yes, you could hire someone to come here and then stipulate that they go up for tenure in one, two or three years. Provost Aiken added that it is the provost who makes the decision regarding time granted toward tenure and promotion – this is the provost’s prerogative. This is a fairly rare occurrence and we are putting a lot of time into discussing something that does not come up very often.

**New Business.** It was moved and seconded (Awwad-Rafferty, Brandt) that senate show support for the cultural competencies symposium as described by Dr. Carmen Suarez at senate on October 1, 2013. Motion carried.

**Adjournment:** It was moved and seconded (Kennelly, Baillargeon) to adjourn at 5pm. Motion carried.

Respectfully submitted,

Gail Z. Eckwright
Secretary to Faculty Senate and Faculty Secretary
Keith Ickes and Trina Mahoney have slightly different projections on what the budget shortfall will be for this year.

One of them estimating below 3 million and one of them estimating above 3 million. The differences mainly revolve around getting accurate projections of how many students will be graduating earlier given the shift to 120 credits necessary for graduation.

UBFC also discussed whether there has been a proposal for a 1% holdback. Keith stated that there had not been any discussions of a 1% holdback and that the rumors to this effect probably stemmed from a statement the Provost made at Provost’s Council that Deans should consider how they would deal with a 1% holdback.

http://www.uidaho.edu/~media/Files/administration/Budget%20Office/reports/FY14%20Sources%20and%20Uses%20of%20Funds.ashx
POLICY COVER SHEET
(See Faculty Staff Handbook 1460 for instructions.)
[1/08]

Faculty/Staff Handbook [FSH] ☐ Addition ☒ Revision* ☐ Deletion* ☐ Emergency
Minor Amendment ☐
Chapter & Title: FSH 1565 Ranks & Responsibilities

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 Date

Policy Sponsor: (If different than originator.) Name Date

Reviewed by General Counsel __Yes ____No Name & Date: ____________________________

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

Change to reflect that attainment of the title emeritus is an honor and should be earned.

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

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

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

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

If not a minor amendment forward to: __________________________________________
Track # _______________
Date Rec.: ______________
Posted: t-sheet ______________
h/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]

[Office Use Only]
ACADEMIC RANKS AND RESPONSIBILITIES

A. INTRODUCTION. [rev. 7-98] A through D unchanged.

E. EMERITI. (FSH 1520 II-2)

E-1. ELIGIBILITY. A board appointed, benefit-eligible member of the university faculty who holds one of the ranks described in 1565 D and who leaves the university and has a minimum of 8 years of service, has attained the criteria of a minimum of 55 years of age, and has attained the rule of 65 (age plus years of service is at least 65), is designated as “professor emeritus/emerita,” “research professor emeritus/emerita,” or “extension professor emeritus/emerita,” as applicable. A faculty member without such rank has the designation “emeritus” or “emerita,” as applicable, added to the administrative or service title held at the time of retirement. [ed. 7-00, 7-02, 1-08, rev. 7-12]

In exceptional circumstances the provost, with the concurrence of Senate Chair, Vice Chair and Faculty Secretary, may suspend the above eligibility rules and award or deny emeritus status to a faculty member. [add. 1-12]

E-2. RIGHTS, PRIVILEGES, AND RESPONSIBILITIES. Emeriti are faculty members in every respect, except for the change in salary and in certain fringe benefits, the obligation to perform duties, and the right to vote in faculty meetings. They continue to have access to research, library, and other UI facilities. Emeriti may take an active role in the service and committee functions of their department, college, and the university. UI encourages the voluntary continued participation of emeriti in the activities of the academic community.

E-3. EMPLOYMENT OPPORTUNITIES. [add. 1-12]

   a. Emeritus faculty may hold a part-time position at the University of Idaho after retirement, but not a full-time one. When it is in the university’s interest, exceptions may be made and the full-time employment limitation may be waived by the president.
   b. Units wanting to employ emeritus faculty without a search must request, in writing, a search waiver from the Director of Human Rights, Access & Inclusion.
   c. Search waivers granted to emeritus faculty remain in effect for three full years. Units need only notify Human Resources if they want to continue to employ an emeritus faculty member while the search waiver is in effect. However, a unit is not obligated to employ the emeritus faculty member during this three year period.

E-4. SPECIFIC PROVISIONS FOR EMERITUS PARTICIPATION. [rev. 7-12] unchanged from here on.
## POLICY COVER SHEET

*(See Faculty Staff Handbook 1460 for instructions.)*

[1/98]

**Faculty/Staff Handbook [FSH]**
- **Addition**
- **Revision***
- **Deletion***
- **Emergency**

**Chapter & Title:** FSH 3520 Tenure

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<td><strong>Telephone &amp; Email:</strong></td>
<td><a href="mailto:paulm@uidaho.edu">paulm@uidaho.edu</a></td>
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<tr>
<td><strong>Reviewed by General Counsel</strong></td>
<td>Yes</td>
<td>No</td>
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<td>Name &amp; Date:</td>
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I. **Policy/Procedure Statement:** Briefly explain the purpose of proposed addition, revision, and/or deletion to the Faculty/Staff Handbook or the Administrative Procedures Manual.

Change to reflect the desire and need to attract quality faculty to the University of Idaho. However, a department/unit’s majority vote of the tenured faculty in the unit is required to do so before negotiations with the finalist for a faculty position begins.

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

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

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

Catalog Regulation B-2.

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

If not a minor amendment forward to: ___________________________________________

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

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**Policy Coordinator**

Appr. & Date: [Office Use Only]

**FSH**

Appr. ************

FC ************

GFM ************

Pres./Prov. ************

[Office Use Only]

**APM**

F&A Appr.: ************

[Office Use Only]
F. TIME REQUIREMENTS FOR TENURE ELIGIBILITY.

F-1. Prior to the award of tenure, employment beyond the annual term of appointment may not be legally presumed. (RGP II G6). Ordinarily a faculty member is not considered for tenure until the fourth full year of probationary service, and consideration is mandatory no later than the sixth full year of service. (RGP II G6). Credit for prior experience may be given in accordance with the provisions of F-4. In this context, unless otherwise specified, the term “year” means the appointment year, whether that is an academic, calendar, or fiscal year. When the appointment begins after January 1, then the following fiscal year date is the start date to begin counting for consideration for tenure. A faculty member who is not awarded tenure may be given written notice of non-reappointment, or be offered a one-year terminal appointment, or be granted an additional short-term probationary appointment for not more than a twelve-month period by mutual agreement between UI and the faculty member. The decision to offer employment following a denial of tenure is in the sole discretion of the president (RGP II G6j). [See 3900.] [rev. 7-98, 7-02, 7-05, ren. & rev. 1-10]

F-2. Tenure evaluation procedures must be started in sufficient time to permit completion by the end of the time periods indicated in F-1. When authorized by the president or his or her designee, the year in which the tenure decision is made may be the terminal year of employment if the decision is to deny tenure. (RGP II G6k). [rev. 7-02, ren. & ed. 1-10]

F-3. Satisfactory service in any tenurable rank may be used to fulfill the probationary periods required for awarding tenure. A maximum of two years of satisfactory service in the rank of instructor at UI may be recognized in partial fulfillment of the time requirement in the tenurable ranks. [rev. & ren. 1-10]

F-4. In cases involving prior equivalent experience, tenure may be granted following less than the usual period of service. In particular, a new faculty member with comparable experience (see FSH 3050 B) from other institutions in relation to the expectations set forth in his/her position description may be granted credit for such experience up to a maximum of four years and may be considered for tenure after a minimum of one full year of service at UI. A faculty member initially employed as an associate and/or full professor, having already attained tenure at an institution comparable to the University of Idaho, may be appointed with tenure. However, before any negotiations for appointment with tenure can begin, this action must be supported by a majority vote of the tenured faculty in the department or equivalent unit and by the university administration. If, otherwise, an associate or full professor is not appointed with tenure, they are considered for tenure not later than the fourth full year of service. [ed. 7-98, rev. & ren. 1-10]

F-5. In the event that a nontenured faculty member’s service at UI has been discontinuous, prior years in the same or a similar tenurable rank may be counted toward tenure eligibility, subject to the limitation stated in F-3 with respect to instructors, and subject to the conditions that: [rev. & ren. 1-10]
   a. Not more than three years have passed since the faculty member left UI. [ed. 1-10]
   b. Applicability of the prior service toward tenure must be stated in writing before reappointment.
   c. At least one additional year is to be served before tenure is recommended.

F-6. If a tenured faculty member leaves UI and later returns to the same or a similar position after not more than three years, the appointment may be with tenure, or he or she may be required to serve an additional year before a tenure decision is made. Notification of probationary or tenure status is to be given in writing before reappointment.

F-7. When a nontenured faculty member holding academic rank moves from one department to another within UI, the faculty member must be informed in writing by the provost, after consultation with the new department, as to the extent to which prior service will count toward tenure eligibility. (RGP II G6l) [rev. 7-02].

F-8. When a tenured faculty member moves from one position to another within UI, or accepts a change from full-time to part-time appointment, his or her tenure status does not change. While a tenured faculty member is serving as a unit administrator, college dean, or in some other administrative or service capacity, he or she retains membership, academic rank, and tenure in his or her academic department. Should the administrative or service responsibilities end, the faculty member resumes duties in his or her academic discipline. 

Unchanged from here on.
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 X Revision* □ Deletion* □ Emergency
Minor Amendment □
Chapter & Title: 6520 Inspection of University Records

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): Terry Quinn 9/20/2013
(Please see FSH 1460 C)
Name Date
Telephone & Email: 885-4283 tquinn@uidaho.edu

Policy Sponsor: (If different than originator.)
Name Date
Telephone & Email:________________________________________

Reviewed by General Counsel __X__Yes ___No Name & Date: ______G. Costa 9/20/13______________

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 policy modification clarifies that the UI strictly adheres to Idaho Public Records Law, and identifies the Office of General Counsel as the custodian of University public records under that law, and as the single point of contact for requests submitted under that law.

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

None expected.

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

This policy references procedure APM 65.03.

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 ________
Track #: _______________ 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]
INSPECTION OF UNIVERSITY RECORDS

PREAMBLE: This section describes the UI's policy with regard to the inspection of its records. This policy was completely revised in July 2002 to bring it in line with federal, state, and regents' guidelines. In 2013 it was determined that FSH 6520 and APM 65.03 overlapped and were outdated; both were revised to reflect current practice and state law. For further information, contact the Office of General Counsel (208-885-6125).

CONTENTS:
A. Policy
B. Custodians of Public Records
C. Location of Records
D. Procedures

A. POLICY.

A-1. The University of Idaho, at the direction of the regents, has developed a policy for the examination or copying of public records in its custody. The Idaho Public Records Law (Idaho Code §§ 9-337 through 9-350) provides the public with the right to inspect and take a copy of any non-exempt public record of the University of Idaho upon written request to the custodian. Unless otherwise exempted, all UI public records are open to inspection and copying by any person, subject to reasonable regulations.


a. A “public record” includes, but is not limited to, any writing containing information relating to the conduct or administration of the public's business prepared, owned, used, or retained by UI regardless of physical form or characteristics. A “writing” includes, but is not limited to, handwriting, typewriting, printing, photostating, photographing, and every means of recording, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, or other documents. Public records exempt from disclosure are enumerated by statute in Idaho Code 9-340 et seq. These exemptions are adopted by the University of Idaho by this reference.

b. Public records kept or maintained by the University of Idaho include but are not limited to academic and research program records, student records, employment records, financial records, real estate records, and alumni records.

A-2. Except in the case of legal compulsion, the following UI records are among those not open to public inspection or copying without the prior written consent of the person or persons to whom such records pertain:
(a) the personnel records of employees, other than the employee’s public service or employment history, classification, pay grade and step, longevity, gross salary and salary history, status, workplace, and department,
(b) the transcripts or grades of students, except as provided in 2600,
(c) the medical records of persons as maintained by the university or its contractors,
(d) counseling records as maintained by the Counseling and Testing Center,
(e) student financial aid records, and
(f) other similar records. Other restrictions may apply to student records as defined by federal law. (See 2600.)

B. CUSTODIANS OF PUBLIC RECORDS.

B-1. For purposes of the Idaho Public Records Law, the University of Idaho's Office of General Counsel is the custodian of all university public records.
The UI has designated the provost and vice presidents as custodians of public records of administrative units reporting to them and has designated the provost as custodian of public records of the president’s office and administrative units reporting directly to the president. The organizational structure of the university appears in 1440. [rev. 7-02]

B-2. The custodian is the single point of contact for all public records requests submitted under the IPRL. A request is not deemed received by the University until and unless the custodian receives it. As custodian, the provost and each vice president may delegate his or her responsibility over records to specific persons. [rev. 7-02]

B-3. Requests for specific records should be directed to the custodians listed above. Questions regarding the proper office to accept a request should be directed to the Office of General Counsel. [rev. 7-02, ed. 6-09]

C. LOCATION OF RECORDS. Public records maintained by the UI are located in the files and computers of the UI in Moscow and various agricultural research stations of the university, located at Aberdeen, Caldwell, Parma, Kimberly, Newdale, Sandpoint, and Dubois, Idaho. Records pertaining to resident instructional centers are maintained at the centers at Boise, Coeur d’Alene, and Idaho Falls. Records of the Cooperative Extension Services are located at the district offices in Moscow, Caldwell, Twin Falls, and Idaho Falls. Records pertaining to the Caine Veterinary Teaching Center are located at that facility at Caldwell. Information as to the specific locations of various types of public records may be obtained from the custodian of that type of record. [rev. 7-02]

D. PROCEDURES. Procedures associated with requesting access to records under the Idaho Public Records Law can be found in APM 65.03.

D-1. Requests to examine or copy records should be made to the custodian of the records. Requests should name the person who wishes to inspect or copy the records, provide an address where the requesting party can be reached, describe the records sought, and specify the inclusive dates of the records. Requests to examine or copy records must be in writing and must be submitted on the form provided by the custodian of the records when requested. [rev. 7-02]

D-2. The custodian may not inquire why the person wishes to inspect or copy an item of public record.

D-3. The custodian of the records will, as soon as reasonably possible after receipt of a request, provide copies of the records or notify the applicant of the time and place where the records will be available for inspection.

a. If more than three working days are required to locate or retrieve the requested records, the custodian should notify the applicant in writing. [ed. 7-02]

b. If the custodian determines that the records are exempt from disclosure, the custodian or the custodian’s designee will inform the applicant in writing. The notice of denial will specify the procedures for appealing the denial and will specify whether the custodian referred the request to an attorney for review or consulted with an attorney before denying the request. [ed. 7-02]

c. All requests for inspection or copying of public records will be granted or denied in writing in whole or in part within ten working days. If no answer is provided within ten working days, the request will be deemed to have been denied.

D-4. Records may not be removed from the place designated for inspection.

D-5. Those responsible for the maintenance and custody of public records are responsible for collecting the records to be examined, providing space for the examination, providing an employee to oversee the examination, providing reasonable assistance during the examination, and for copying or permitting the copying of the records, if requested to do so.
D-6. If a request for inspection or copying is denied, the requested records must be retained until the end of the appeal period, until there has been a decision on an appeal, or as otherwise provided by law or UI policy, whichever is longer. Whenever a request is denied, there must be some indication made on the record that it must not be purged without the approval of the custodian.

D-7. Persons making the inspection must: (a) agree to exercise diligent care not to deface the records; (b) not make any mark or erasure on, or in any manner alter or modify, any record; (c) not tear, cut, mutilate, or in any other manner damage or change any record; and (d) exercise every reasonable precaution that the numerical or other order or sequence of receipts, checks, vouchers, ledger cards, and other records is preserved.

D-8. There is no fee charged for examination of public records during regular business hours. The fee for making paper copies is $0.25 per page. The fee will be waived when the total charge is $1.00 or less. The actual labor cost associated with locating and copying documents will be charged if the request is for more than one hundred (100) pages of paper records, or includes records from which nonpublic information must be deleted, or the actual labor associated with locating and copying documents for a request exceeds two (2) person hours. For providing a duplicate of a computer tape, computer disc, microfilm or similar or analogous record system containing public record information, a fee reflecting the actual cost of producing the record will be charged but no less than $10, or the established price for selling the same information in the form of a publication. This section does not pertain to fees charged for certified copies of specific records not addressed by the public records policy, such as the service of mailing certified copies of student transcripts to other institutions. Any conversion of a record to make it readable by specific equipment is the sole responsibility of the person requesting the record, and the fee for providing the record will not be adjusted due to the incompatibility of the requestor’s equipment. [rev. 7-02]

D-9. The denial of a request for public records may be appealed through a petition to the Idaho District Court in the county where the records or some part of them are located. The petition must be filed within 180 calendar days from the date of mailing of the notice of denial. [rev. 7-02]
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: __________________________________________

Minor Amendment □

Chapter & Title: 65.03 Public Records Requests

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): Terry Quinn   9/20/2013
(Please see FSH 1460 C)

Telephone & Email: 885-4283 tquinn@uidaho.edu

Policy Sponsor: (If different than originator.)

Telephone & Email: ____________________________

Reviewed by General Counsel  __X_ Yes ___ No  Name & Date: _____ G. Costa 9/20/13 ____________________

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 procedure modification removes some misleading guidance to departments regarding how to respond to public records and Freedom of Information Act requests, and identifies the Office of General Counsel as the single point of contact for such requests.

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

   None expected.

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

   This procedure references policy FSH6520.

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]
A. General. Public records requests must be sent to the Custodian.

A-1. Requirements for Requests. Requests must (i) be in writing, (ii) contain the requester's name, address, email, and phone number, and (iii) specify the public records requested.

A-2. Address for Requests. Requests must be sent to the Custodian, either via email to counsel@uidaho.edu, or via mail or hand-delivery to University of Idaho Office of General Counsel, 875 Perimeter Drive MS 3158, Moscow, Idaho 83844-3158.

The Idaho Public Records Act (IPRA), Idaho Code (IC) 9-337 through 9-349, provides the legal basis for disclosing public records of the University to the public upon request. Internal policy, [See FSH 6520], Inspection of University Records, further details how the University complies. In addition, when student education records are involved, the Family Educational Rights and Privacy Act (FERPA), must also be complied with when determining whether a particular record is available to the public.

B. Definitions. The policy associated with this procedure can be found in FSH 6520. Public record includes any writing containing information relating to the conduct or administration of the public's business prepared, owned, used or retained by UI regardless of physical form or characteristics. IC 9-337(10):

B-1. Custodians. Requests for records should generally be referred to the custodian of the record. If in doubt as to the identity of the custodian, refer the request to the Provost or appropriate Vice President, or to University counsel.

B-2. Public Rights. The public has the right to inspect and copy public records held by the UI.

B-3. Board of Regents. The Regents of the University of Idaho and the staff of the State Board of Education for the purposes of these guidelines, are not members of the public, but should be treated as having legitimate reasons to know information requested. This is true of student education records as well as general public records.

C. Exception. Exempt Records. The IPRA provides for certain exemptions from the general requirement for disclosure to the public for certain records which otherwise fall within the definition of public in that Act.

C-1. A list of the exemptions created by the legislature is found within the IPRA at Idaho Code 9-340. This list includes personnel records, library records which reveal who borrowed certain materials, test questions which
will be used again, personal information about employees other than names and addresses such as race, religion, sex, height, weight, etc., medical records, and any record exempt from disclosure by federal or state law. [See FSH 6520]

C-2. **Student's education** records as defined by FERPA are exempt from public disclosure under FERPA and therefore are exempt from disclosure under the IPRA.

D. **Process.** Requests to inspect or copy public records should always be referred to the official custodian of the record [See FSH 6520]. The custodian, or designee, determines whether the record is subject to disclosure or exempt from disclosure, and responds to—or denies—the request accordingly.

E. **Procedure for Responding to Requests to Inspect or Copy Public Records.**

E-1. **Forms for Requesting, or Denying, Requests to Inspect or Copy Public Records.** Sample forms for requesting records [See 65.03 (G)], or denying requested records have been developed for use by records custodians. A request for inspection and copying of public records does not have to be made by using the suggested forms, however requests which rely on the IPRA must be in writing.

E-2. **Refer the Request** to the Custodian of the Record. The custodian of the record determines if the record is exempt from disclosure. In general, the custodian of a university record is the provost or vice-president of the division where the record originates. In some cases, specific offices originate and administer records and are, therefore, knowledgeable regarding which records are subject to disclosure and which records are exempt from disclosure. Examples of particular records, and the offices knowledgeable regarding disclosure requirements, include:

i) **University Budget Records.** All official records regarding university budgets are kept in the University's Budget Office and no record should be released without approval of that office.

ii) **Computer Programs and Records.** Files stored on computers are documents and records available to the public just as if they were paper copies. Computer programs are specifically exempt from public disclosure by the IPRA. While the data may be available, programs developed or purchased for use by the University are not available to the public through the IPRA.

iii) **Personnel Records.** All requests for personnel information should always be referred to Human Resource Services.

iv) **Student Records.** All requests for student records should be referred to the Office of the Vice President for Student Affairs.
Determine if the Record is Exempt from Disclosure

Amendments are frequently made to the IPRA. Before making a denial of a record, it is always necessary to review university policy [See FSH 6520] and consult with UI legal counsel. Examples of the types of records which are exempt from disclosure include:

i) Real Property and Construction Records. The IPRA provides several specific instances in which real property and construction records, which are otherwise public under the IPRA, are exempt from disclosure, requests to inspect or copy public records should always be referred to the custodian or to counsel.
   a) Records relating to the appraisal of real property, timber, or mining rights prior to its acquisition, sale or lease by a public agency. (IC 9-340).
   b) Records, maps or other records identifying the location of archaeological or geophysical sites or endangered species, if not already known to the general public. (IC 9-340).
   c) Archaeological and geologic records concerning exploratory drilling, logging, mining and other excavation, when such records are required to be filed by statute for the time provided by statute. (IC 9-340).
   d) Production records, sale or purchase records, catch records, mortgage portfolio loan documents, or similar business records of a private concern or enterprise required by law to be submitted to or inspected by a public agency. (IC 9-340).
   e) Any estimate prepared by a public agency that details the cost of a public project until such time as disclosed or bids are opened, or upon award of the contract for construction of the public project. (IC 9-340).

ii) Personnel Records:

   a) A personnel record may be disclosed to the public if the employee has given written permission for the University to disclose the information or record. If no written permission has been granted, only the following information about an employee or former employee may be released to the public upon request:
      1. Service or employment history
      2. Classification
      3. Pay grade and step
      4. Longevity
      5. Gross salary and salary history
      6. Employment status
      7. Workplace and Employing agency

   b) Employee Access to Personnel Records. An employee may inspect and copy his or her own personnel records — except material used to screen and test for employment. This excepted material includes applications for employment, recommendations supporting applications for employment, notes of interviewers, and tests given to test competency for a given position. The results of tests (scores) are available to the employee.
c) Employee Information Prohibited from Disclosure. Information about an employee which the IPRA expressly prohibits an agency from releasing without the permission of the employee include: sex, race, marital status, birth date, address and telephone number, applications, testing and scoring materials, grievances, correspondence, and performance evaluations. (IC 9-340). In addition, employment security and unemployment insurance benefit information is exempt unless all interested parties agree to disclosure.

d) Student Status Information and FERPA. When the employee whose records are sought is also a student, the requirements of FERPA become important and override the IPRA. Care should be taken to check if the information is also an education record subject to the more stringent guidelines of FERPA. In general, the records of a student who is a work-study employee, are protected by FERPA. Personnel records of students which are not related to the status of that employee as a student are protected by the IPRA.

e) Retired Employees Information. Disclosure of the retiree’s home address and home telephone number is permitted with—and only with—written permission of the retiree.

f) Idaho Human Rights Commission Complaints. The IPRA specifically exempts from disclosure investigative reports resulting from investigations conducted as a result of complaints to the Idaho Human Rights Commission. (IC 9-340).

g) Records Prepared in Anticipation of Litigation. In general, records prepared in anticipation of litigation, if prepared at the direction of an attorney are exempt from formal discovery in the litigation process and also from disclosure to the public. (IC 9-340).

h) Academic Records. Records held by members of the faculty may be public records. There are two notable exceptions:
(1) Student education records are exempt from disclosure under FERPA and include grades, evaluative materials, student papers, and personally identifying materials, for example, ID numbers, home address, telephone number, etc.
(2) Test scores, scoring keys, and other data used to administer an examination before the exam is given and if the exam is to be used again. (IC 9-340).

i) Research Records. In 1993 the legislature added a specific exemption covering certain research records. The research must be unpublished or in progress and contain trade secrets as defined in the IPRA. (IC 9-340). In addition, where the research is sponsored by another agency or private company, and is considered the property of that agency or company, it is not a public record owned by the University.
j) **Library Records.** The IPRA contains specific exemptions from disclosure for certain library records. Thus, records of a library that would reveal the identity of the library patron checking out, requesting, or using an item from a library are exempt from disclosure. (IC 9-340).

(1) **Private Donations to a Library, Etc.** A donor of material to a library, archive or museum, may limit the public accessibility to that material in making the original gift. Thus if a private person states that the material is not public, the IPRA protects it from disclosure. (IC 9-340). The practical application of this section may arise from gifts of personal papers which a donor might restrict to making publicly available only after the donor's death, or the death of all persons named in the papers.

k) **Medical and Counseling Records.** The IPRA specifically exempts from disclosure records of hospital care, medical records, records of psychiatric care or treatment and professional counseling records relating to an individual's condition, diagnosis, care or treatment.

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**E-4. Time Limit for Responding to Public Records Requests.** UI is required to respond to requests submitted under the IPRA within 3 days of the request or notify the requesting party that more time to comply is needed. In any event, the IPRA requires compliance within 10 days of the request.

**E-5. Copy Charges Allowable.** UI may charge the requesting party for the actual cost of reproducing copies of records. [See FSH 6520].

**E-6. Compilation of Data to Create a Record is Not Required.** The IPRA pertains to existing records. The Act does not require that the University create compilations of data in response to a request for public records.

**E-7. Ensure Exempt Information is Not Released with Public Records.** When information which is disclosable is mixed with information which is exempt from disclosure, the University has an obligation to redact (black out) the exempt information and provide the record. While the University has no obligation to create a record to respond to a request for public records, there will be times when the creation of a record containing only disclosable information may be more expedient and overall the better way to provide that information.

**E-8. Denials of Requests to Inspect or Copy Public Records Must be in Writing.** If a request to inspect and copy a public record is denied, or partially denied, the University, through the custodian of the record, must make the denial in writing and inform the requesting party of his or her right to appeal the decision to the Latah County district court. The basis for the denial and whether or not legal counsel has been consulted must also be specified in the notice. In addition, the IPRA requires that the University retain the record which has been denied for a period of 180 days from the date of denial. This is the time period which the requesting party has to appeal the decision to the courts.
E-9. **Denials Must be in Good Faith.** A denial of a public record which is made without justification can be reversed by a court. If the court finds the denial was frivolous, the University could be required to pay the attorneys fees and costs incurred by the requesting party in pursuing disclosure of the records. In addition, if the University employee who made the decision to refuse to disclose public records is found to have done so deliberately and in bad faith, the employee could be fined up to $1,000.

FC. **Contact Information.** Questions about this procedure and its associated policy should be directed to the Additional information regarding responding to public records requests may be obtained from the custodian of the record or from the Office of General University Counsel, via email to counsel@uidaho.edu or (208) 885-6125.
A 2011 federal regulation regarding the definition of a credit (Section 600.2 and 600.24) requires that we have Catalog language consistent with the federal regulation (34 CFR 668.8[k] and [j]). In addition, this is a regulation that will be included in the review of the University at the time of the next scheduled Northwest Accreditation of Colleges and Universities visit. We request UCC consideration of and action on this proposed change to the Catalog.

D-1. Unit of Credit Defined. A credit hour is an amount of work represented in intended learning outcomes and verified by evidence of student achievement that is an institutionally established equivalency that reasonably approximates not less than:

1. One hour of classroom or direct faculty instruction and a minimum of two hours of out-of-class student work each week for approximately fifteen weeks for one semester or the equivalent amount of work over a different amount of time; or
2. At least an equivalent amount of work as required in paragraph (1) of this definition for other academic activities, including laboratory work, internships, practica, studio work, short courses, workshops and other academic work leading to the award of credit hours.

One unit of credit represents what a typical student might be expected to learn in one week of full-time study (40-45 hours including class time and preparation). Each course is evaluated by a system of credits related to time spent in class, lab, study-preparation, or field investigation. A semester credit is expected to require a total of three hours of scholarly activity each week. Ordinarily one 50-minute hour of class attendance is scheduled for each credit, but any combination of class attendance, lab, study-preparation, or field investigation may be arranged. Credit for workshops and similar short courses is granted on the basis of one semester credit for at least 45 hours of scholarly activity. Exceptions to this policy for undergraduate courses must be approved by the University Curriculum Committee. Exceptions for graduate courses must be approved by the Graduate Council and the University Curriculum Committee.
The Amnesty policy is new. **ARTICLE V: FSH 2**: AMNESTY AND SAFE HARBOR POLICY

**Preamble**: At the University of Idaho, student health and safety is a primary concern. The fear of repercussions through the Student Code of Conduct may prevent students from seeking assistance when necessary. To address this fear, in 2013, the University of Idaho created this policy with student health and safety as its primary concern.

**A. General.** This Amnesty policy aims to remove the barriers that may prevent any students from seeking emergency medical attention by providing an opportunity for the University to intervene in a caring and non-punitive manner. The goal is to promote the philosophy of “Vandals taking care of Vandals” to reduce the potential risk of alcohol and/or drug-related injuries or deaths, and increase the likelihood that students will seek medical attention in crisis situations. This Amnesty policy aims to remove the barriers that may prevent students from seeking medical attention by providing an opportunity for the University to intervene in a caring and non-punitive manner.

**B. Policy.**

**CB-1.** A student who seeks emergency medical attention for him/herself or who has emergency medical attention sought on his/her behalf, for drug or alcohol related consumption, will not be sanctioned for violating drug and alcohol consumption prohibitions found in the Student Code of Conduct related to that consumption, as long as the student completes all of the following requirements:

1. Participates in an initial meeting with the Dean of Students, or designee, and
2. Completes all recommendations from the Dean of Students, or designee, and
3. Submits proof of having completed all recommendations from the Dean of Students, or designee, within the time frame designated by the Dean of Students, or designee, at the initial meeting.

**B-2.** A bystander student who seeks emergency medical attention for someone else or tries to actively engage in bystander assistance for someone else for drug or alcohol related consumption, will not be sanctioned for violating drug and alcohol consumption prohibitions found in the Student Code of Conduct related to that consumption, but must attend, as long as the student completes all of the following requirements: Participates in a debriefing initial meeting with the Dean of Students:

- Complies with all recommendations, if any, from the Dean of Students or designee and paying all associated fees.
- Submits proof of having completed all recommendations from the Dean of Students or designee within the time frame designated by the Dean of Students or designee at the initial meeting.

**B-3.** If a student who has experienced sexual assault and/or sexual harassment, the University will not pursue any disciplinary action against the student victim/survivor of sexual assault and/or sexual harassment for his/her use of drugs or alcohol in violation of the Student Code of Conduct at the time of the event.

**B-4.** The Amnesty policy will only apply to a student who seeks emergency medical assistance before being encountered by police or University employees or agents.

**B-5.** The Amnesty policy does not preclude disciplinary action regarding other violations of the Student Code of Conduct including, but not limited to, harassment, hazing, sexual misconduct, etc.
B-6. This Amnesty Policy only applies to violations of the Student Code of Conduct (Faculty-Staff Handbook 2300). This policy does not apply to any criminal, civil or other legal consequence for violations under Federal, State or local law. Additionally, nothing in this Amnesty Policy shall impact any obligation created by Federal, State or local law, or University policy, practice or procedure, to report, charge, or take other action.

B-7. This Amnesty Policy is not designed to protect or shield those students who repeatedly violate the Student Code of Conduct. The Dean of Students and the University Judicial Council chair reserves the right to assess each situation on a case-by-case basis, denying the safeguards of the Amnesty Policy if serious or repeated incidents prompt a higher degree of concern or response, which may include disciplinary action under the Student Code of Conduct.
FSH 2_B: AMNESTY AND SAFE HARBOR POLICY

Preamble: The fear of repercussions through the Student Code of Conduct may prevent students from seeking assistance when necessary. To address this fear, in 2013, the University of Idaho created this policy with student health and safety as its primary concern.

A. General. This policy aims to remove the barriers that may prevent any student from seeking emergency medical attention by providing an opportunity for the University to intervene in a caring and non-punitive manner. The goal is to reduce the potential risk of alcohol and/or drug-related injuries or deaths, and increase the likelihood that students will seek medical attention in crisis situations.

B. Policy.

B-1. A student who seeks emergency medical attention or who has emergency medical attention sought on their behalf for drug or alcohol related consumption, will not be sanctioned for violating drug and alcohol consumption prohibitions found in the Student Code of Conduct related to that consumption, as long as the student completes the following requirements:
   a) participates in an initial meeting with the Dean of Students, or designee, and
   b) completes all recommendations from the Dean of Students, or designee, and
   c) submits proof of completing all recommendations, within the time frame designated by the Dean of Students, or designee, at the initial meeting.

B-2. A bystander student who seeks emergency medical attention for someone else or tries to actively engage in assistance for someone else for drug or alcohol related consumption, will not be sanctioned for violating drug and alcohol consumption prohibitions found in the Student Code of Conduct related to that consumption, but must attend a debriefing meeting with the Dean of Students.

B-3. If a student who has experienced sexual assault and/or sexual harassment, the University will not pursue any disciplinary action against the student for their use of drugs or alcohol at the time of the event.

B-4. The policy will only apply to a student who seeks emergency medical assistance before being encountered by police or University employees or agents.

B-5. The policy does not preclude disciplinary action regarding other violations of the Student Code of Conduct including, but not limited to, harassment, hazing, sexual misconduct, etc.

B-6. The policy only applies to violations of the Student Code of Conduct (Faculty-Staff Handbook 2300). This policy does not apply to any criminal, civil or other legal consequence for violations under Federal, State or local law. Additionally, nothing in this Amnesty Policy shall impact any obligation created by Federal, State or local law, or University policy, practice or procedure, to report, charge, or take other action.

B-7. The policy is not designed to protect or shield those students who repeatedly violate the Student Code of Conduct. The Dean of Students and the University Judicial Council chair reserve the right to assess each situation on a case-by-case basis, denying the safeguards of the Amnesty Policy if serious or repeated incidents prompt a higher degree of concern or response, which may include disciplinary action under the Student Code of Conduct.