University of Idaho  
2016-2017 FACULTY SENATE AGENDA  
Meeting #20  
3:30 p.m. - Tuesday, March 7, 2017  
Paul J. Joyce Faculty-Staff Lounge & Skype for Business  
Order of Business  

I. Call to Order. 

II. Minutes. 
  • Minutes of the 2016-17 Faculty Senate Meeting #19, February 28, 2017 (vote)  

III. Chair’s Report. 

IV. Provost’s Report. 

V. Other Announcements and Communications. 
  • Elections to Faculty Senate (FAQ) – due April 15th  

VI. Committee Reports. 

University Curriculum Committee  
  • FS-17-047: Civil Engineering to Civil and Environmental Engineering (Colberg)  
  • FS-17-048: Civil Engineering – Fire Safety certificate (Wilhelmsen/Vakanski)  
  • FS-17-049: Civil Engineering – Fire Prefix (Wilhelmsen/Vakanski)  
  • FS-17-050: Computer Science in Coeur d’Alene (Law)  

VII. Special Orders. 

VIII. Unfinished Business and General Orders. 
  Faculty Affairs/Senate Leadership/Committee on Committees: (vote)  
  • FS-17-045: FSH 3710 – Leave Policy (Nelson)  

IX. New Business. 
  • Program Prioritization metrics  

X. Adjournment. 

Professor Liz Brandt, Chair 2016-2017, Faculty Senate  

Attachments:  Minutes of 2016-2017 FS Meeting #19  
             Elections FAQ  
             FS-17-045, 47 through 050
University of Idaho  
Faculty Senate Meeting Minutes  
2016-2017 Meeting #19, Tuesday, February 28, 2017

Present: Anderson (Miranda), Barbour, Berven, Brandt, Brewick, Brown, Cannon (Boise), Caplan, Chung, Crowley (w/o vote), Donohoe, Fisher, Folwell, Godfrey (Coeur d’Alene), Ostrom (Idaho Falls), Hrdlicka, Johnson, Markusan, Morrison, Nyavor (for Adekanmbi w/o vote), Nicotra, Payant, Sixtos, Stevenson (for Wiencek w/o vote) Vella, Wilson, Wright. Absent: Adekanmbi, Anderson (Mike), Boschetti, Pregitzer, Wiencek (w/o vote). Guests: 4

The Chair called meeting #19 to order at 3:30. A motion (Berven/Folwell) to approve the minutes from February 21st passed unanimously.

Chair’s Report: Chair Brandt reminded Senators that elections for next year’s Senate are coming up. Elections need to be held by April 15th. It is the responsibility of current Senators to confer with your college to set up these elections. The faculty secretary’s office will be sending out further information later this week.

Provost’s Report: Vice Provost Jeanne Stevenson provided the Provost Report. She reminded Senators that comments on program prioritization are due by March 8th. The planning committee will review the comments, before final recommendations are made. Chair Brandt added that both she and Senator Nicotra are on the review committee and they would be happy to answer questions regarding the prioritization process.

Vice Provost Stevenson reported that the cascading plans from colleges are due to the Provost Office by tomorrow (March 1st). She also commented on the accreditation process. When the Northwest Commion on Colleges and Universities conducted their comprehensive visit in 2015, they made four recommendations. The University responded to one of those recommendations last year. We are now submitting a report addressing the remaining three. We should expect a site visit from a small team in the next couple of months.

Committee Reports: Chair Brandt asked permission to alter the order of the agenda since one of the presenters on the leave policy could not arrive until somewhat later. A motion (Berven/Folwell) to amend the order of presentation passed unanimously.

FS-17-046: FSH 1640. Faculty and Staff Policy Group. Chair Brandt introduced the proposal to create a new Faculty/Staff Policy Group. The stated purpose of this committee is to provide for better communication between Staff Affairs and Faculty Affairs Committee (FAC) on mutually related policies that affect each. This group should also provide a forum to work out last second compromises before a policy proceeds to the Senate. Chair Brandt noted that many employment policies that affect staff goes to FAC. This happens even if the policy’s primary effect is not on faculty. The leave policy discussed extensively the last two years is a good example. One of the purposes of this new committee is to free FAC up to focus on core faculty issues. This new committee will focus on hybrid policies that affect both faculty and staff. The proposal has been reviewed by FAC, Staff Affairs, and Committee on Committees.

A Senator wondered about the difficulty of creating another committee requiring faculty participation. It was noted that recruiting faculty can be a problem. This committee only requires three. The proposal passed without objection.
Statement on Immigration. Chair Brandt introduced Professor Kate Evans from the College of Law. Professor Evans has been working with a small group to develop a resolution regarding University policies regarding immigration and expressing support for faculty, staff, and students who may be affected by recent developments. Chair Brandt noted that the first proposal focused primarily on students and this more recent draft seeks to include and address concerns about staff and faculty. She stated that the resolution is being brought to the Senate for its approval.

Professor Evans noted that while the original Executive Order establishing a travel ban has been stayed by the 9th Circuit, there is an expectation of a new executive order. There has also been some significant memos issued by the Department of Homeland Security that have heightened anxiety. These recent statements anticipate:

- Broader use of detention and apprehension throughout the U.S.
- Special provisions along the border to detain asylum seekers.
- Orders to enforce all immigration laws—reducing discretion.

Professor Evans stated that the revised document before the Senate was an attempt to build upon the statement issued by President Staben, as well as reaffirm existing policies and principles at the University. The document tries to clarify what information the University is obligated to disclose, and what type of information is protected by laws like FERPA. The statement also seeks to help students understand how they can control their own information. Professor Evans reviewed the main elements of the resolution which emphasizes that:

- Confidential records will not be released to federal immigration officials without a valid judicial warrant or court order authorized by the student or required by law.
- Confidential employment records for faculty or staff will not be released without a subpoena, or court order.
- The University will not voluntarily grant access to non-public property owned and controlled by the University.
- Campus security will not undertake joint efforts with local, state, or federal law enforcement agencies to investigate for violations of immigration law.

Questions asked by Senators included:

- **Is there a definition of the University of Idaho (UI) community?** Chair Brandt acknowledged that there wasn’t, but she would reword it to include students, faculty, and staff.
- **Has this resolution been vetted by General Counsel?** Chair Brandt stated that General Counsel has seen the resolution. She felt it was safe to say that General Counsel would prefer that the language be narrowed. However, he has suggested revisions which have been considered. Professor Evans stated that the suggested practices came from looking at the best practices at other universities. Beyond that, there is value in providing such information in a consolidated place.
- **Has there been an evaluation of this in terms of whether there might be some push back from the state legislature?** Chair Brandt stressed that this would not be the official statement of the University, but would be a statement from the Faculty Senate as a recommendation to the university community. Professor Evans stated that the state legislature had considered some legislation, nothing had been passed. If the legislature does pass a new policy, then we would have to consider its implications for the University. Chair Brandt stressed that the policy affirms that we will follow federal and state law. It affirms our existing policies and suggests that we shouldn’t volunteer to do anything that isn’t required.
- **Are DACA students protected?** The most recent guidelines from Homeland Security does exclude the DACA students from the enforcement provisions. The International Programs Office does have...
information on who these students are, but this information is not readily available. Professor Evans did suggest that students who have DACA status might provide that information, although how protective that will be is open to question. Generally, she advises her clients not to provide information regarding their name and place of birth.

- **What powers do students have over their information?** Students do possess the ability to control what directory information can be made public. One of the purposes of this resolution is to inform students of this ability. Place of birth is not considered directory information.

- **How is this information going to be disseminated? To what extent is the University leadership in support of this?** Chair Brandt stated that this was a resolution of the Senate. She felt that the President was aware that language of this nature was being discussed.

- **Are similar efforts being pursued at other Idaho universities, and to what extent do the risks of pursuing this outweigh the benefits?** Chair Brandt suggested that determining what other universities in the state are doing, is a good idea. Professor Evans clarified that this proposal represents current practices, but not all of it is clearly recognized in policy. Part of the value of the resolution is to urge future conduct that goes somewhat beyond current policy.

Given the number of suggested revisions and concerns the Chair decided that the resolution would be redrafted, before it is brought back to the Senate. Chair Brandt urged Senators to email her with any other comments.

**Faculty Affairs & Senate Leadership. FS-17-045: FSH 3710—Leave Policy.** Chair Brandt invited General Counsel Kent Nelson to help discuss some proposed changes to the leave policy. Chair Brandt explained that Senate Leadership, with the aid of FAC, suggested a few minor alterations to the Leave Policy. After sending these to General Counsel and HR, they have suggested some other changes. The changes requested by General Counsel were sent to Senators this afternoon. To accept the proposed changes from General Counsel there will need to be a motion to substitute their version. Senate Leadership supports this substitution.

Mr. Nelson explained that after reviewing the proposed changes, they are suggesting different wording for E-4 and M-2. These proposed changes involve either family medical leave, or parenting leave. The proposed changes are designed to provide a more flexible version of the rule adopted by the Senate last year. Last year the Senate wanted to allow employees to reserve 80 hours of annual leave and comp time and still be able to go on unpaid leave. This substitute version maintains that 80-hour rule, but allows the 80 hours to come from annual leave, sick leave or comp time, when sick leave is allowed for the event. A Senator pointed out that it was very difficult for the Senate to consider these changes, when they were only received a couple of hours ago. Such last second changes complicate the policy process.

A Senator noted that these issues were confusing. Both the Chair and the Faculty Secretary agreed that it was a complicated set of issues, although they both felt that the proposed changes from General Counsel provided greater flexibility to the employee. The Chair further pointed out that to accept the proposed changes from General Counsel, there would have to be a motion to substitute the new version of E-4 and M-2. No motion to that effect was made.

A Senator hopefully asked for an explanation of the differences between family medical leave and parenting leave. Kent Nelson noted that the FMLA is a federal act that the University is required to follow. Parenting Leave is a subset of family medical leave. The Senate in recent years has sought to expand some of the benefits provided for parenting leave. For instance, the UI does allow both
parents (if they are UI employees) to take 12 weeks of parenting leave, FMLA does not specify an employer must do so.

A Senator asked if Staff Affairs had reviewed these changes? The Chair noted that Staff Leadership reviewed some of the changes and had received the proposed changes to E-4 and M-2 today.

Another Senator asked about the language in M-5a6. “Parenting is defined as the period of bonding that occurs within the first twelve (12) months of the birth, adoption or foster placement of the child in the family and ends twelve (12) months after.” After some discussion of whether this confusing language was taken from the FMLA, it was suggested that the proper interpretation of this was that parenting leave must be taken within the first 12 months of the birth or adoption.

A Senator asked about the proposed changes to donating annual leave to the shared leave pool in L-3. Chair Brandt explained that these changes were proposed, because administratively it is difficult to track donated leave that isn’t used by the person to which it is donated. Thus, L-3d now states that “donors should be aware that any shared leave not used by the intended recipient will be returned to the Shared Leave Pool, not returned to the donor.” Those who want to donate to a colleague, but don’t wish the leave to go into the shared leave pool should donate leave in measured increments. There should be communication between the donor and HR.

Although not part of the proposed changes, a Senator asked about the provision in G-2 stating that an employee “must request annual leave or personal leave without pay” for “appearing as an expert witness when the employee is compensated”. He expressed the view that this was contradictory to other provisions allowing employees to take time for consulting. Kent Nelson acknowledged that this was an interesting question and he would look into the possible contradiction with the consulting policy.

Reflecting a general view that the Senate had not been given sufficient time to review some of these changes a motion (Johnson/Brown) to postpone this discussion to the next meeting passed unanimously.

**Adjournment:** A motion (Folwell/Brewick) to adjourn was unanimously agreed to at 4:52.

Respectfully submitted,

Don Crowley, Faculty Secretary &
Secretary to the Faculty Senate
**When and who oversees the elections for senate members?** Current senate members from each respective college/group consult and assign someone who will handle the process. Check your respective college/group by-laws for procedures. It is fine for faculty senate members to solicit assistance from the dean’s office in sending out and receiving secret ballots. Faculty should oversee the process and count votes received. All faculty within the college are given the opportunity to be involved and vote.

**FSH 1520, Article V, Section 6. Elections.** Regular elections for senators in the senate are held before April 15 of each year in which an election is to be held. All elections for members of the senate are by secret ballot. Appropriate procedures for nominations and elections are developed and approved by a majority vote of the faculty of the college or other unit.

**Members on Senate whose term is expiring 2017:**

- Luigi Boschetti, CNR
- Andrew Brewick, Staff
- Allan Caplan, CALS
- Yun Chung, Business
- Annette Folwell, CLASS
- James Foster, Science
- Bruce Godfrey, CDA
- Greg Donohoe, Engr. (served one year Clint Jeffery’s term)

**How long is a term on Faculty Senate?**

**FSH 1520, Article V, Section 4. Terms of Office.** Elected faculty members of the senate serve for three years. The academic dean shall serve one year, the staff representatives shall serve for staggered two year terms. The terms of office for student members are as established by the senate. [See 1580 VI.] Newly elected members take office each year on September 1 or on the official opening date of the academic year, whichever is earlier. To carry out the requirement that approximately one-third of the elected faculty members are to take office each year, the senate may shorten the initial term of office of faculty senators elected to fill new positions in the senate to conform to a balanced rotation plan. When members are elected to fill a vacancy, they take office at the first meeting after the election and serve for the unexpired term of the vacancy. A faculty member elected to the senate may serve two consecutive terms. After serving two consecutive terms the faculty senate member must wait one full year before they are again eligible for election.[see also FSH 1580 III-3].

**What if I will be gone for one month, or for more than four months?**

**FSH 1520, Article V, Section 7. Vacancies.**

Clause A. If it is necessary for a member of the senate to be absent temporarily (more than a month, but less than four months), the candidate who received the next highest number of votes in the most recent election in the college or unit acts as his or her alternate in the senate with full vote. If it is necessary for a member to be absent for more than four months, but less than one year, a special election is held to fill the temporary vacancy. When the senate member returns, he or she resumes the position in the senate. If it is necessary for a member to be absent for more than one year, or if the member is unable to complete the term of office for any reason, a special election is held to fill the unexpired term. [See 1580 VI for procedures covering student vacancies.]

Clause B. The chair of the Faculty Senate must declare a position vacant if a member is absent from three consecutive meetings unless the member has informed the chair of the senate in writing that he or she intends to participate fully in the activities of
the senate in the future. When a position is declared vacant, the chair must notify the constituency concerned.

**What is the Center Senator’s Role?**

1520 Article V. Section 2. Structure. A (2). University Centers. The resident faculty of the university centers in Boise, Coeur d’Alene and Idaho Falls each elects one senator from among its number. Those senators shall have the right to participate and vote in faculty senate meetings by means of available two-way video-audio technology located at the centers. If the available technology fails, telephone conferencing will be used. Senators elected to represent a center have a unique role on senate, which is to provide a voice and vote from the perspective of their centers. That perspective is not intended to be college and/or discipline specific.

**What if I have replaced a member from my college who resigned from Faculty Senate, can I serve again?**

1580 Article III, Section 3. Members Completing Unexpired Terms. A member who has been elected or appointed to complete the unexpired term of another member and has served more than half of that term will be considered to have served one full term.
Instructions: Please use one form for each request/action. Clearly mark all changes using Track Change or strikethroughs for deletions and underlines for additions. Following the approval of the appropriate college curriculum committee, a single representative for the college will e-mail the completed form to the Office of the Provost and Executive Vice President, provost@uidaho.edu for approval and then submission to the Academic Publications Editor in the Registrar’s Office for review by the University Curriculum Committee (UCC).

Deadline: This form must be submitted to the Office of the Provost and Executive Vice President by December 15th for inclusion in the next available General Catalog and to be available for scheduling beginning with the next summer session.

When applicable a Curriculum Change Form and Course Approval Forms must accompany the short form when submitted to provost@uidaho.edu

Submission Information
This section must be completed

<table>
<thead>
<tr>
<th>College:</th>
<th>Engineering</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department/Unit:</td>
<td>Civil Engineering</td>
</tr>
<tr>
<td>Dept/Unit Approval Date:</td>
<td>Feb 20, 2016</td>
</tr>
<tr>
<td>College Approval Date:</td>
<td>Sep 27, 2016</td>
</tr>
<tr>
<td>CIP code (Consult Institutional Research):</td>
<td></td>
</tr>
<tr>
<td>Primary Point of Contact (Name and Email):</td>
<td>Patricia Colberg, Chair, Civil Engineering, <a href="mailto:colberg@uidaho.edu">colberg@uidaho.edu</a></td>
</tr>
</tbody>
</table>

Rationale and Overview of Program Component Request or Name Change
This section must be completed

Provide the rationale and overview of this request. Include an explanation of how the department will manage the added workload for a new program component; describe whether the program component curriculum and admissions requirements remain the same; describe the rational for a name change or degree designation change if applicable.

The Department of Civil Engineering is requesting a name change to the Department of Civil and Environmental Engineering to: attract more students, align with the majority of Civil Engineering programs nationwide, and better represent the activities of the department. This is simply a name change with no additional workload. The degree name will not change.

Name or Degree Change Only Requests
Leave blank if not making a name and/or degree change only request

This section to be completed ONLY for changes to the name of: degree, major, minor, option, emphasis, certificate, teaching endorsement. If there are accompanying curriculum or course changes, complete the next section and attach the curriculum and/or course forms. **Note: a substantive change to a program degree, major, or program component may require a program proposal form.

<table>
<thead>
<tr>
<th>Current Name:</th>
<th>Civil Engineering</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Name:</td>
<td>Civil and Environmental Engineering</td>
</tr>
<tr>
<td>Current Degree:</td>
<td></td>
</tr>
<tr>
<td>New Degree:</td>
<td></td>
</tr>
<tr>
<td>Other Details:</td>
<td></td>
</tr>
<tr>
<td>Effective Date:</td>
<td>August 14, 2017</td>
</tr>
</tbody>
</table>
**Program Component Request**

Leave blank if not adding, discontinuing, or modifying a program component. Program components consist of option, emphasis, minor, academic certificate less than 30 credits, or teaching endorsement.

Clearly mark all changes to existing program components by using Track Change or strikethroughs for deletions and underlines for additions. A curriculum change form and/or course approval forms associated with this request are required to be submitted with this short form.

<table>
<thead>
<tr>
<th>Create New:</th>
<th>Modify:</th>
<th>Discontinue:</th>
<th>Implementation Date:</th>
</tr>
</thead>
</table>

Graduate Level: | Undergraduate Level: | Law Level: | Credit Requirement: |

Are new courses being created: | No | Yes | If yes, how many courses will be created: |

If the request is for an option or emphasis enter the associated major and degree:

<table>
<thead>
<tr>
<th>Major:</th>
<th>Degree:</th>
</tr>
</thead>
</table>

Enter the name of the program component in the appropriate row:

<table>
<thead>
<tr>
<th>Option:</th>
<th></th>
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<tbody>
<tr>
<td>Emphasis:</td>
<td></td>
</tr>
<tr>
<td>Minor:</td>
<td></td>
</tr>
<tr>
<td>Academic Certificate less than 30 credits:</td>
<td></td>
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<tr>
<td>Teaching Endorsement (Major/Minor):</td>
<td></td>
</tr>
</tbody>
</table>

**Learning Outcomes and Assessment Information**

This section must be completed if program component request section is completed.

1. List the intended learning outcomes for the program component, using learner centered statements that indicate what will students know, be able to do, and value or appreciate as a result of completing the program:

2. Describe the assessment process that will be used to evaluate how well students are achieving the intended learning outcomes of the program component:

3. How will you ensure that the assessment findings will be used to improve the program?

4. What direct and indirect measures will be used to assess student learning?

5. When will assessment activities occur and at what frequency?
Financial Impact

This section must be completed if program component request section is completed

<table>
<thead>
<tr>
<th>Greater than $250,000 per FY</th>
<th>Less than $250,000 per FY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brief Description of financial impact:</td>
<td></td>
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</tbody>
</table>

Distance Education Availability

This section must be completed if program component request section is completed

To comply with the requirements of the Idaho State Board of Education (SBOE) and the Northwest Commission on Colleges and Universities (NWCCU) the University of Idaho must declare whether 50% or more of the curricular requirements of a program may be completed via distance education. **If the program component is to be offered via distance education, additional or different formwork may be required.** Contact provost@uidaho.edu for assistance.

The U.S. Department of Education defines distance education as follows:

Distance education means education that uses one or more of the technologies listed below to deliver instruction to students who are separated from the instructor and to support regular and substantive interaction between the students and the instructor, either synchronously or asynchronously. The technologies may include--

1. The internet;
2. One-way and two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite, or wireless communications devices;
3. Audio conferencing; or
4. Video cassettes, DVDs, and CD-ROMs, if the cassettes, DVDs, or CD-ROMs are used in a course in conjunction with any of the technologies listed in paragraphs (1) through (3).

Can 50% or more of the curricular requirements of this program component be completed via distance education?

<table>
<thead>
<tr>
<th>Yes*</th>
<th>No</th>
<th>x</th>
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</thead>
</table>

*If Yes, can 100% of the curricular requirements of this program component be completed via distance education?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
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</table>

Geographical Area Availability

This section must be completed if program component request section is completed

Identify the geographical area(s) this program component can be completed in:

<table>
<thead>
<tr>
<th>Location(s):</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moscow x</td>
</tr>
<tr>
<td>Coeur d’Alene</td>
</tr>
<tr>
<td>Boise* x</td>
</tr>
<tr>
<td>Idaho Falls*</td>
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<tr>
<td>Other** Location(s):</td>
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</tbody>
</table>

*Note: Programs offered in regions 3, 4, and/or 5 may require additional formwork from the State Board of Education. Contact the Office of the Provost and Executive Vice President for additional information.

**Note: If Other is selected identify the specific area(s) this program component will be offered.
<table>
<thead>
<tr>
<th>Implementation Effective Date:</th>
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<tbody>
<tr>
<td>Date Received by the Office of the Provost and Executive Vice President:</td>
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<tr>
<td>Date Received by Budget Office, if applicable:</td>
<td></td>
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<tr>
<td>Date Received by Institutional Research and Assessment:</td>
<td></td>
</tr>
<tr>
<td>Date Received by UCC Secretary:</td>
<td>1/19/2016</td>
</tr>
<tr>
<td>UCC Item Number:</td>
<td>UCC-17-028a</td>
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<tr>
<td>UCC Approval Date:</td>
<td></td>
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<td>Vote Record:</td>
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<td>Faculty Senate Item Number:</td>
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<td></td>
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<td>Vote Record:</td>
<td></td>
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<tr>
<td>General Policy Report Number or Faculty Meeting Date:</td>
<td></td>
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<tr>
<td>Office of the President Approval Date:</td>
<td></td>
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<tr>
<td>State Board of Education Approval/Acknowledgement Date:</td>
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Response to questions

Modification of department name from Civil Engineering to Civil and Environmental Engineering

Prepared by P. Colberg, Chair
17 January 2017

History
Before a modification to our Department name was discussed, two faculty members conducted extensive research on which other CE programs had changed their names in recent years and impact this change may have had on their enrollments. We also had extensive input on the proposed name change from various stakeholders: from CE and COE faculty, from graduating seniors in civil engineering, from the Department's Advisory Board, and several individuals in the professional civil engineering community, including colleagues at other universities.

In February 2016, at a faculty retreat where a lengthy discussion was held about the proposal, a majority of CE faculty voted for the name change. On behalf of the faculty, I informed Dean Larry Stauffer of our intent to modify our name in letter dated June 2016.

The proposed change has been strongly endorsed by our nine-member Advisory Board. They voted unanimously for modification of the department name and wrote a letter in August 2016 to Dean Stauffer articulating their reasons.

I made a formal presentation to the COE Curriculum Committee (CCC) in Fall 2016, providing justification for the name change and answering the committee’s questions with the assistance of two senior faculty members. The CCC approved the name change unanimously.

I am happy to provide the UCC with any or all of these letters.

Rationale for proposed change
As contained on the Group B form, the rationale for the proposed name change is: (1) to attract more students to the University of Idaho; (2) to align with the majority of Civil Engineering programs nationwide, and (3) to better represent the activities of the department.

In support of (1) -- to attract more students to the University of Idaho – I offer the following additional comments.

In exit interviews conducted with all of our graduating seniors in April 2016, I asked students how they would feel if we added ‘environmental’ to the department name. Without exception, each student expressed enthusiastic support for the name change, even though most had not pursued an environmental engineering emphasis in their degree. Many students admitted they really did not know what civil engineering was when they started college, but that adding ‘environmental’ to the name would have helped them identify more readily with CE. Several remarked to me that they had friends in high school who would probably have attended UI if they had known we offered environmental engineering courses. We know that ‘environmental everything’ is appealing to high school students, which is why we maintain that interest in UI will be enhanced upon adoption of the new name.

I discussed the name change with the Department's Advisory Board at our April 2016 meeting. Their response was overwhelmingly positive. One Board member remarked: “It’s about time!”. Another said: “Why wouldn’t you change the name? There are no downsides.” Another added: “This is a smart move. We will see more students attracted to UI because of it.” One Board member from Coeur d’Alene, whose daughter is starting her senior year in high school, assured everyone in the room that ‘this name change would put UI back on her list of colleges’. The Board voted to unanimously to endorse modifying the Department’s name and immediately drafted a letter saying so to Dean Stauffer.
We also know that environmental engineering impacts the professional practice of all types of civil engineering. In fact, this is why we require all CE majors to take CE 330/Fundamentals of Environmental Engineering, regardless of their degree emphasis. The consensus of my Faculty is that modifying our name will result in increased applications and enrollments in civil engineering at both the undergraduate and graduate levels – and in other departments in the College as well.

In support of (2) -- to align with the majority of Civil Engineering programs nationwide -- I offer the following additional comments:

Environmental engineering is universally recognized as a subdiscipline of Civil Engineering. This is also why almost every department with the name “Environmental Engineering” is located in a former Department of Civil Engineering. Most CE departments in the USA have already incorporated “environmental” into their names. In fact, 75% of the top 50 Civil Engineering programs are named “Civil and Environmental Engineering”; 65% of all BSCE-degree granting programs are named CEE (or some variation thereof). This trend has also been adopted in programs across the globe.

Environmental engineering traditionally resides in CE departments; in only rare cases, is it associated with departments of chemical or biological engineering (e.g., OSU). There are currently five universities in the region with departments named Civil and Environmental Engineering: Idaho State University, Washington State University, University of Washington, Portland State University, and Seattle University. The list of other western schools with this name includes Idaho State, Utah State, University of Utah, Brigham Young, and Colorado State. UI competes for students with all of these institutions. We are at a distinct ‘identity’ disadvantage with respect to our competition. Moreover, easily half of all CE departments in the United States are currently named Civil and Environmental Engineering; this is not a new trend, but one that we are late in adopting.

In answer to your specific questions:

**Q: How does the name change better represent the activities of the department?**

There is complete agreement among the CE Faculty that all of our areas of specialty are closely linked to ‘environmental engineering’. For example, Peter Goodwin, who is the Director of the Center for Ecohydraulics Research (CER) in Boise and a CE Professor, strongly supports the name change because it strengthens the understanding that environmental engineering is a critical component of the work done by CER. Prof. Ahmed Abdel-Rahim, who is Director of NIATT, a transportation center at UI, maintains that no infrastructure projects of any kind that are designed or constructed by civil engineers nowadays can ignore environmental impacts; because of this, all projects in the transportation area necessarily include environmental engineers. If we asked our faculty to describe work they do that involves some aspect of environmental engineering, I think the list would be extensive. Even if a student is not a ‘practicing’ environmental engineer, they require an understanding of the fundamental principles of the discipline and will very likely work with individuals in this specialty.

So, to answer your question: modern civil engineering, both in theory and practice, is intrinsically linked with environmental engineering. This is why so many departments all over the world have changed their names to Civil and Environmental Engineering. Our department too has a strong identification with environmental engineering in our teaching, service and
response. To leave ‘environmental engineering’ off our name is not only disadvantageous, but ignores the value our program places on the environmental engineering aspects of the problems we solve and the projects we design.

Q: **Will there be a new program created eventually, or courses .. or do you already have a number of environmental engineering courses?**

At the present time, we feel we can meet the needs of students who are interested in environmental engineering as a degree specialization by helping them select appropriate upper division electives (listed below); we do not see an immediate need to create a separate degree program.

Our Civil Engineering curriculum prepares students to work in a wide array of environmental engineering design work including, but not limited to, drinking water treatment, wastewater treatment, surface water quality, site assessment, ground water remediation, landfill infrastructure, hydraulics, and water quality improvement. All CE majors complete a rigorous third-year curriculum that includes introductory courses in Environmental Engineering (CE 330), Hydraulics (CE 322), and Hydrologic Engineering (CE 325). Undergraduate students who are interested in emphasizing environmental engineering over the other areas in our program can take a variety of more advanced courses as electives, including:

- CE 431/Design of Water and Wastewater Systems I
- CE 432/Design of Water and Wastewater Systems II
- CE 433/Water Quality Management
- CE 421/Engineering Hydrology
- CE 422/Hydraulic Structures Analysis and Design
- CE 428/Open Channel Hydraulics
Instructions: Please use one form for each request/action. Clearly mark all changes using Track Change or strikethroughs for deletions and underlines for additions. Following the approval of the appropriate college curriculum committee, a single representative for the college will e-mail the completed form to the Office of the Provost and Executive Vice President, provost@uidaho.edu for approval and then submission to the Academic Publications Editor in the Registrar’s Office for review by the University Curriculum Committee (UCC).

Deadline: This form must be submitted to the Office of the Provost and Executive Vice President by December 15th for inclusion in the next available General Catalog and to be available for scheduling beginning with the next summer session.

When applicable a Curriculum Change Form and Course Approval Forms must accompany the short form when submitted to provost@uidaho.edu

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**Submission Information**

This section must be completed

<table>
<thead>
<tr>
<th>College:</th>
<th>Engineering</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department/Unit:</td>
<td>Industrial Technology</td>
</tr>
<tr>
<td>Dept/Unit Approval Date:</td>
<td>8/27/2016</td>
</tr>
<tr>
<td>College Approval Date:</td>
<td>12/13/16</td>
</tr>
<tr>
<td>CIP code (Consult Institutional Research):</td>
<td></td>
</tr>
<tr>
<td>Primary Point of Contact (Name and Email):</td>
<td>Lee Ostrom and Cheryl Wilhelmsen, <a href="mailto:ostrom@uidaho.edu">ostrom@uidaho.edu</a>, <a href="mailto:cherylw@uidaho.edu">cherylw@uidaho.edu</a></td>
</tr>
</tbody>
</table>

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**Rationale and Overview of Program Component Request or Name Change**

This section must be completed

Provide the rationale and overview of this request. Include an explanation of how the department will manage the added workload for a new program component; describe whether the program component curriculum and admissions requirements remain the same; describe the rational for a name change or degree designation change if applicable.

It is requested to add a new academic certificate named **Fire Safety** certificate. It is requested to assign **FIRE** prefix for the courses required for the Fire Safety certificate.

The certificate consists of six 3-credit courses. The courses will include study of fire science and engineering, which crosses over the fields of mechanical, physical and structural designs. These courses are:

<table>
<thead>
<tr>
<th>Course</th>
<th>Title</th>
<th>Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>FIRE 406</td>
<td>Fire Safety Hazards Analysis</td>
<td>3 cr</td>
</tr>
<tr>
<td>FIRE 407</td>
<td>Fire Suppression Design and Detection</td>
<td>3 cr</td>
</tr>
<tr>
<td>FIRE 408</td>
<td>Fire Loss Control</td>
<td>3 cr</td>
</tr>
<tr>
<td>FIRE 409</td>
<td>Facility Fire Hazard Management</td>
<td>3 cr</td>
</tr>
<tr>
<td>FIRE 410</td>
<td>Structural Designs for Fire and Life Safety</td>
<td>3 cr</td>
</tr>
<tr>
<td>FIRE 411</td>
<td>Community Planning and Design for Fire Protection and Management</td>
<td>3 cr</td>
</tr>
</tbody>
</table>

The certificate was requested by the Idaho National Laboratory and regional businesses. They identified an urgent need for employees with certification in Fire Safety. The certificate will provide the level needed to pass the certified fire protection specialist exam and will provide skill and knowledge for the students to qualify for a fire protection specialist job.

The certificate will be offered by the Industrial Technology undergraduate program at Idaho Falls.

The Department of Labor supported the certificate by awarding a grant for development of required courses and for support of the certificate instruction for the first two years.
Name or Degree Change Only Requests
Leave blank if not making a name and/or degree change only request

This section to be completed ONLY for changes to the name of: degree, major, minor, option, emphasis, certificate, teaching endorsement. If there are accompanying curriculum or course changes, complete the next section and attach the curriculum and/or course forms. **Note: a substantive change to a program degree, major, or program component may require a program proposal form.

Current Name:  
New Name:  
Current Degree:  
New Degree:  
Other Details:  
Effective Date:  

Program Component Request
Leave blank if not adding, discontinuing, or modifying a program component. Program components consist of option, emphasis, minor, academic certificate less than 30 credits, or teaching endorsement

Clearly mark all changes to existing program components by using Track Change or strikethroughs for deletions and underlines for additions. A curriculum change form and/or course approval forms associated with this request are required to be submitted with this short form.

Create New: x  Modify:  Discontinue:  Implementation Date:  
Graduate Level:  Undergraduate Level: x  Law Level:  Credit Requirement:  
Are new courses being created: No  Yes x  If yes, how many courses will be created: 6  

If the request is for an option or emphasis enter the associated major and degree:

Major:  
Degree:  
Enter the name of the program component in the appropriate row:

Option:  
Emphasis:  
Minor:  
Academic Certificate less than 30 credits: 18 credit Fire Safety certificate  
Teaching Endorsement (Major/Minor):  

Learning Outcomes and Assessment Information
This section must be completed if program component request section is completed

1. List the intended learning outcomes for the program component, using learner centered statements that indicate what will students know, be able to do, and value or appreciate as a result of completing the program:

Component: Fire Safety Hazard Analysis
Learning outcomes: The student will be able to conduct a fire hazard analysis for a building or facility.

Component: Fire Suppression Design and Detection
Learning Outcomes: The student will be able to assess the adequacy of a fire suppression system and fire detection system and provide design input for improving them.
Component: Loss Control
Learning Outcomes: The student will be able to conduct a fire loss control assessment.

Component: Community Planning and Design for Fire Protection and Management
Learning Outcomes: The student will have the ability to work with local fire districts to develop plans for reducing the potential for fires or to mitigate the damage caused by a fire.

Component: Facility Fire Hazard Management
Learning Outcomes: The student will have the ability to manage the fire hazards in a building or facility.

Component: Structural Designs for Fire and Life Safety
Learning Outcomes: The student will have the ability to assess a building or facility for fire and life safety issues and to provide design changes to meet code requirements.

2. Describe the assessment process that will be used to evaluate how well students are achieving the intended learning outcomes of the program component:

Learning outcomes: The student will be able to conduct a fire hazard analysis for a building or facility.
Assessment: The student will have assessments, projects and or tests on how to conduct a fire hazard analysis.

Learning Outcomes: The student will be able to assess the adequacy of a fire suppression system and fire detection system and provide design input for improving them.
Assessment: The student will have assessments, projects or tests on how to assess the adequacy of a fire suppression system and fire detection system.

Learning Outcomes: The student will be able to conduct a fire loss control assessment.
Assessment: The student will have assessments, projects or tests on how to conduct a fire loss control assessment.

Learning Outcomes: The student will have the ability to work with local fire districts to develop plans for reducing the potential for fires or to mitigate the damage caused by a fire.
Assessment: The student will have assessments, projects or tests on how to conduct community fire planning.

Learning Outcomes: The student will have the ability to manage the fire hazards in a building or facility.
Assessment: The student will have assessments, projects or tests on how to manage fire hazards in a building or facility.

Learning Outcomes: The student will have the ability to assess a building or facility for fire and life safety issues and to provide design changes to meet code requirements.
Assessment: The student will have assessments, projects or tests on how to assess a building or facility for fire and life safety issues and to provide design changes to meet code requirements.

In general:
The six (6) courses will be comprised of eight (8) modules within each course. Within each of these modules the assessment will be comprised of quizzes, research papers, presentations, and where appropriate examinations. In addition, some courses will include practical projects. Each instructor is responsible for performing the assessments for the individual courses. The assessments will be aligned with the overall objectives of the certificate program. An overall assessment of the program will be the successful completion of a National Fire Protection Association (NFPA) related examination and/or the Certified Fire Protection Specialist (CFPS) certification. An ongoing review of the courses will occur every academic year semester to ensure the instructors are providing the appropriate content and assessments so that students can successfully complete an NFPA examination or certification. The Associate Dean in Idaho Falls and Director of Industrial Technology will review the results of the assessments on an ongoing basis and at least once a semester.

3. How will you ensure that the assessment findings will be used to improve the program?
The assessment findings will be evaluated each year and if the learning outcomes are not achieved as projected, the course syllabi will be revised.
4. What direct and indirect measures will be used to assess student learning?

As stated in #2 above, the assessment tools will be directly aligned with the learning objectives. Each of the eight (8) modules for each of the six (6) courses will have assessment tools that are aligned with the learning objectives. The instructors for this certificate program will be/are highly experienced for the fire protection/firefighting community. For example, the Fire Chief for Idaho Falls who also holds a MS degree is one of the instructors for the program. The instructors for the courses have volition to develop what they feel are the appropriate assessment tools, within the bounds of the overall learning objectives. Each of the modules within the courses will provide the steps needed to successfully complete NFPA examinations/certifications.

5. When will assessment activities occur and at what frequency?

The learning outcomes are assessed every semester and are aligned with changes in the National Fire Code and practice. The instructors for the certificate program, who are certified fire safety professionals, along with the Associate Dean in Idaho Falls and Director of Industrial Technology will meet, review, and update the learning outcomes as needed. The effectiveness of the program will be assessed by the successful completion of the NFPA examinations/certifications. There are a number of appropriate NFPA examinations the students have the option to take at the end of the certificate program, depending on the direction they wish to pursue or relevant to their current career. For example, the Certified Fire Inspector-1 examination or the CFPS certification.

**Financial Impact**

This section must be completed if program component request section is completed

<table>
<thead>
<tr>
<th>Greater than $250,000 per FY:</th>
<th>x</th>
<th>Less than $250,000 per FY:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brief Description of financial impact:</td>
<td>A $254,000 Idaho Department of Labor grant is supporting the creation of the Fire Safety certificate and is supporting its instruction for the first two years.</td>
<td></td>
</tr>
</tbody>
</table>

**Distance Education Availability**

This section must be completed if program component request section is completed

To comply with the requirements of the Idaho State Board of Education (SBOE) and the Northwest Commission on Colleges and Universities (NWCCU) the University of Idaho must declare whether 50% or more of the curricular requirements of a program may be completed via distance education. **If the program component is to be offered via distance education, additional or different formwork may be required.** Contact provost@uidaho.edu for assistance.

The U.S. Department of Education defines distance education as follows:

Distance education means education that uses one or more of the technologies listed below to deliver instruction to students who are separated from the instructor and to support regular and substantive interaction between the students and the instructor, either synchronously or asynchronously. The technologies may include--

1. The internet;
2. One-way and two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite, or wireless communications devices;
3. Audio conferencing; or
4. Video cassettes, DVDs, and CD-ROMs, if the cassettes, DVDs, or CD-ROMs are used in a course in conjunction with any of the technologies listed in paragraphs (1) through (3).

Can 50% or more of the curricular requirements of this program component be completed via distance education? | Yes* | x | No |
|---------------------------------------------|------|---|----|
*If Yes, can 100% of the curricular requirements of this program component be completed via distance education? | Yes | x | No |

**Geographical Area Availability**

This section must be completed if program component request section is completed

Identify the geographical area(s) this program component can be completed in:

Moscow | x
<table>
<thead>
<tr>
<th>Location</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Coeur d'Alene</td>
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<tr>
<td>Boise*</td>
<td>x</td>
</tr>
<tr>
<td>Idaho Falls*</td>
<td>x</td>
</tr>
</tbody>
</table>

**Other** Location(s):

*Note: Programs offered in regions 3, 4, and/or 5 may require additional formwork from the State Board of Education. Contact the Office of the Provost and Executive Vice President for additional information.

**Note: If Other is selected identify the specific area(s) this program component will be offered.

### Office of the Registrar Information

<table>
<thead>
<tr>
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<th>Date/Number</th>
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<tbody>
<tr>
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<tr>
<td>Date Received by the Office of the Provost and Executive Vice President:</td>
<td></td>
</tr>
<tr>
<td>Date Received by Budget Office, if applicable:</td>
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<tr>
<td>Date Received by Institutional Research and Assessment:</td>
<td></td>
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<tr>
<td>Date Received by UCC Secretary:</td>
<td>2-22-17</td>
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<tr>
<td>UCC Item Number:</td>
<td>UCC-17-028b</td>
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<td>Vote Record:</td>
</tr>
<tr>
<td>General Policy Report Number or Faculty Meeting Date:</td>
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<tr>
<td>Office of the President Approval Date:</td>
<td></td>
</tr>
<tr>
<td>State Board of Education Approval/Acknowledgement Date:</td>
<td></td>
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</table>
Request for Assigning a New FIRE Course Prefix

October 31, 2016

The Industrial Technology program at the University of Idaho requests to assign a new FIRE prefix for the courses required for the newly introduced Fire Safety certificate.

The Fire Safety certificate is offered by the Industrial Technology program in Idaho Falls. The certificate was requested by the Idaho National Laboratory and the local businesses in Southeastern Idaho, due to an increasing demand for employees with certification in Fire Safety. Based on an application by the Industrial Technology program, the Department of Labor awarded a grant on the amount of $254,000 in support of the development and instruction of the required courses for the Fire Safety certificate.

The certificate requires 18 credits, and it consists of the following six 3-credit courses:

- **FIRE 406** Fire Safety Hazards Analysis 3 cr
- **FIRE 407** Fire Suppression Design and Detection 3 cr
- **FIRE 408** Fire Loss Control 3 cr
- **FIRE 409** Facility Fire Hazard Management 3 cr
- **FIRE 410** Structural Designs for Fire and Life Safety 3 cr
- **FIRE 411** Community Planning and Design for Fire Protection and Management 3 cr

The certificate will provide the level needed to pass the certified fire protection specialist exam and will provide skill and knowledge for the students to qualify for a fire protection specialist job.

The courses are offered as web-based courses and therefore the certificate can be earned by all students irrespective of the geographical area in which they reside.
Dear XXX:

The University of Idaho is writing to notify the Idaho State Board of Education of our intention, in coordination with North Idaho College, to expand our current offering of the third year UI Computer Science (CS) program in Coeur d’Alene to include the fourth year beginning summer of 2017. As you are aware, this year the UI began offering third year CS classes supported by a FY17 legislative appropriation. The purpose of this letter is to notify you that the UI plans to implement the next phase, namely the fourth and final year of the Bachelor’s of CS program contingent on the additional legislative appropriation being considered during this upcoming legislative session.

During and after the full program establishment, NIC will continue to offer the first two years and the UI will offer the final two years in Coeur d’Alene; the UI will continue to offer the full curriculum (all four years) on the Moscow campus. Computer science faculty from both institutions have been working together to ensure the curriculum between our two programs is in alignment. Students attending NIC can finish their associate’s degree and keep working towards their bachelor’s degree without leaving the area.

A bachelor’s degree program will be a tremendous advantage for place-bound students in northern Idaho and provide key support to growing businesses in the area. A unique characteristic of this program will be cooperative experiences that will make industry-sponsored internships a part of the educational process. This program offering will greatly enhance the economic development of the region, create a viable pathway from NIC to UI, and move Idaho closer to its Complete College Idaho goals. North Idaho is home to a flourishing technology community. Implementing the degree program in partnership with NIC in the Coeur d’Alene region will better serve local students passionate about the field and the community, allowing them to remain in the Coeur d’Alene vicinity while receiving a meaningful, relevant education that they can parlay into a well-paying job without leaving the state.

Sincerely,

John Wiencek
Provost and Executive Vice President

cc: Rick MacLennan, President, NIC, rick.maclennan@nic.edu
    Lita Burns, Vice President for Instruction, NIC, maburns@nic.edu
Memo

To: Faculty Senate  
From: Senate Leadership  
Date: March 2, 2017  
Subject: Overview of Leave Policy amendments.

Order of discussion

As requested below is a discussion of the changes to the leave policy. My suggestion for the order of our meeting next week is as follows:

1. Revisions to subsection E regarding Parenting Leave (including substituting new language in E-1 and E-4).
2. Revisions to subsection L regarding Shared Leave.
3. Revisions to subsection M regarding Family Medical Leave (including substituting new language in M-2)
4. All other revisions to the policy.

Overview of Changes

1. Parenting Leave Revisions.  

E-1 (and M-5.a.6). Reorganization -- the definition of “parenting” was moved up from section M to section E-1. In addition after our 2/28 Senate meeting, we followed up on questions raised about this definition and are suggesting a revision to the language to clarify the grammar and make the definition more clear. This suggested language is below.

E-2. Clarification – this is a further clarification of changes we made last year making employees eligible for parenting leave starting 6 months after hire – this is an expansion of the FMLA statutory requirement which only requires leave after 1 year of employment. The clarification is that employees must have completed their probationary period prior to eligibility for parenting leave.

E-4 (and C-9). The big picture idea is that parents should not have to use up all their accumulated paid leave for parenting leave. Kids and parents get sick. We (last year’s Senate and Senate Leadership) wanted parents to be able to retain some paid leave after a parenting leave. The process we agreed on with HR and General Counsel is that an employee must use her or his accumulated sick leave first, up to that point in time when the employee’s total accumulated leave (sick, annual leave and/or compensatory time) combined together is 80 hours. At that point, the employee has a choice: she or he may preserve their remaining paid leave and elect to use unpaid leave for the remainder of their parenting leave OR she or he may continue to use up paid leave. Previously our policies required the employee to use up all her or his sick leave. The revision to C-9 eliminates old language that is inconsistent to this new approach.
E-4 is one of the sections of the policy for which General Counsel recommended a last minute change before our 2/28 meeting. General Counsel’s suggested language is below. Senate Leadership strongly recommends that the E-4 language suggested by General Counsel be substituted for E-4 in the draft policy. It clarifies the policy and removes a couple of complex ambiguities.

2. Shared Leave Revisions
   L-3.b and d. Our existing policy was inconsistent on how shared leave was administered. The question is whether leave donated to a particular person is returned to an employee if it is not used by the intended donee. HR has indicated that it is very difficult administratively to track such donations and return unused amounts to the person who donated the leave. The policy amendments eliminate contradictory language and clarify that if donated leave is not used by the intended recipient, it goes into the general shared leave pool and is not returned to the donor. Leave donors who desire to donate only as much leave as a particular individual needs are encouraged to work with HR to make incremental donations to that person. After Senate discussion at the 2/28 meeting, we are recommending the addition of the last sentence above to the policy itself to advised employees who are worried about losing donated leave when it is not used by the intended recipient. We have included this recommendation below.

3. Family Medical Leave
   M-2. The issue here is the same as the issue for Parenting Leave dealt with in E-4. The idea is to give employees the choice to use up their paid leave or, once they reach the level of 80 hours of combined paid leave, to be able to take unpaid leave for an FML leave. This is a change from existing policy which required employees to use up paid leave first before taking unpaid leave.

   As with the amendment to E-4, General Counsel suggested a revision to the proposed language just before our 2/28 meeting. General Counsel’s suggested language is below. Senate Leadership strongly recommends that the M-2 language suggested by General Counsel be substituted for M-2 in the draft policy. It clarifies the policy and removes a couple of complex ambiguities.

4. Additional Minor changes:
   a. A-13 and C-8. This change removes the ability of individual supervisors to set standards for attendance. It also clarifies that any type of excessive absenteeism whether because of sickness or other causes may result in disciplinary action. Senate Leadership believes these changes reflect current policy and remove the ability of individual supervisors to set attendance standards that may not be consistent with university policy or that may be out of line with standards set by other supervisors.

   b. C-7. Title and grammatical changes. Senate Leadership thinks these changes clarify that pregnancy is not an illness.

   c. C-7. This revision makes our policy consistent with federal law.
d. D-2. Minor change to reflect the addition of parentheticals to the headings (see #f below)

e. M-17. Minor changes to bring our policy in line with our practice

f. Additions to the Headings of big categories of leave to point employees to the eligibility rules for each type of leave. There are parentheticals added after “B Annual Leave”, “C. Sick Leave”, “D. Holidays”, “E. Parenting Leave”, “F. Military Leave”, “G. Leave for Court…”, “H. Leave for Campaigning…”, “I. Administrative Leave”, “J. Academic Transitional Leave”, “K. Terminal Leave”, “L. Shared Leave”, “M. Family Medical Leave”, “O. Personal Leave”, “P. Extended Medical Leave”, and “Q. Leave for Professional Improvement.” The addition of this information at the beginning of each major category of leave may help employees navigate the policy. We believe a major reorganization is needed and possibly the policy should be broken into separate sections. For now, however, we felt the addition of these parentheticals might be helpful.

**Proposed substituted language**

E-1. Substitute the following language for f E-1.a and b.:
   a. “Parenting” is defined as the period of bonding that occurs within the first twelve (12) months of the birth, adoption or foster placement of the child in the family.

   b. “Parenting Leave” is leave taken by an employee under this section E to bond with a child within the first twelve (12) months of the birth, adoption or foster placement of the child in the family. Parenting leave is separate and distinct from medical leave taken by a birth mother related to serious health conditions associated with pregnancy and child birth and from medical leave taken by either parent to care for a child with a serious health condition. See Family Medical Leave Section M-1 for the relationship of Parenting Leave under this Section E and Family Medical Leave under Section M of this FSH 3710.

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

E-4. Substitute the following language for all of E-4.:
Employees can choose to use a combination of accrued paid leave or unpaid leave. Employees must first use accrued sick leave (see FSH 3710 M-2). However when the combination of the employees remaining sick leave plus any additional accrued paid leave that may be available to the employee falls below 80 hours, then the employee may elect to use unpaid leave for parenting.

L-3.d. Add the following sentence to the end of the paragraph:
Leave donors who desire to donate only as much leave as the intended recipient needs are encouraged to work with HR to make incremental donations to that person.
M-2. Substitute the following language for all of M-2:

Family medical leave and/or service member family medical leave is generally leave without pay. However, when the absence also qualifies for the use of sick leave, if available, employees must first use accrued sick leave. When the combination of the employee’s remaining sick leave plus any other accrued paid leave that may be available to the employee falls below 80 hours the employee may then elect unpaid leave for the Family Medical Leave. When the type of absence does not qualify for the use of sick leave, the employee must use other available accrued paid leave until the employee’s remaining sick leave plus any other accrued paid leave that may be available to the employee falls below 80 hours before the employee may use unpaid leave for the Family Medical Leave.
LEAVE POLICIES FOR ALL EMPLOYEES

PREAMBLE: This section describes the various kinds of leaves that are available for all UI employees. (See section 3720 for Sabbatical Leaves limited to faculty members.) This section and the following one were original parts of the 1979 Handbook. The most substantive changes since that time have been the addition (under Governor Andrus) and subsequent deletion (under Governor Batt) of service leave for children at school and changes to subsection L that reflect changes in federal regulations. In 2002 extensive changes were made to subsection K that reflected Regent policy and current practice. In 2008 extensive changes to this policy were approved following many years of committee work involving Faculty and Staff Affairs, General Counsel, and Human Resources and a new section M was added on service member family leave due to a federal law change. In July 2010 a section R was added to address the Fiscal Year 2010 Furlough and in July 2011 section R was removed and a new policy, FSH 3450, was created to address employment actions such as temporary furloughs. In 2015 and 2016 many changes were put in place to comply with federal regulation changes on family medical leave, a new section on Parenting Leave was added, and to allow employees more flexibility in leave use. Unless explicitly noted, the text is as of July 1996. Further information is available from Human Resources (208-885-3638). [ed. 7-97, 7-05, rev. 7-98, 7-02, 2-08, 7-10, 7-11, 7-15, 7-16]

CONTENTS:
A. General
B. Annual Leave
C. Sick Leave
D. Holidays
E. Parenting Leave
F. Military Leave
G. Leave for Court Required Service and Voting
H. Leave for Campaigning for or Service in Public Office
I. Administrative Leave
J. Academic Transitional Leave
K. Terminal Leave
L. Shared Leave
M. Family Medical Leave
N. Service member Family and Medical Leave [add. 2-08]
O. Personal Leave
P. Extended Medical Leave
Q. Leave for Professional Improvement
R. Exceptions

A. GENERAL

A-1. The University of Idaho (hereinafter referred to as university) strives to offer leave programs that are both comprehensive and flexible to meet employee needs. Leave with or without pay is extended to employees under a variety of circumstances described below. Exceptions may be granted in special circumstances [see R below; APM 55.09, 55.07, 55.38; FSH 3120, 3720 and 6230] [ed. 2-08, 7-10, 7-16]

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

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

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

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

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

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

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

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

A-7. Leave may not be taken in advance of accrual and may not be taken in excess of 80 hours in a pay period. [rev. 7-15]

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

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

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

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

c. returning to work following expiration of approved leave.

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

A-10. Exempt employees (full-time FLSA) who work at least four (4) hours in a day will be paid regular pay for the full day. If they work fewer than four (4) hours, the difference will be charged to the appropriate accrued leave. If the employee is on approved intermittent Family and Medical Leave (FML) they must report each hour missed. [ed. 7-16]

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

A-11. Absent written agreement to the contrary, an eligible employee typically earns credit toward retirement plan vesting (see your PERSI, IORP or federal retirement plan document for details) and earns annual and sick leave accruals during the portion of any leave that is paid, except that sick and annual leave do not accrue during
terminal leave [K], or in some circumstances during administrative leave [I-5]. An employee typically will not be given such credit for any periods of unpaid leave. [ed. 7-16]

A-12. No break in service will occur during any approved paid or unpaid leave for the purposes of determining eligibility for retiree health benefits.  

A-13. Attendance at work is a job requirement for all positions at the university. Excessive absenteeism can affect job performance. Supervisors may set reasonable attendance standards, and the employee may be subject to disciplinary action.

A-114. Departmental administrators are responsible for approving and ensuring the reporting of leave, via Banner, taken by the employees in their respective units. For procedures regarding reporting and monitoring leave see APM 55.08. The Banner system and Human Resources records are the official university leave records. [ed. 7-10]  

A-1415. Human Resources is responsible for coordinating requests and reviewing compliance with all types of leave other than sick, annual and medical appointment leave discussed in this section. [APM 55.09] [ed. 7-10]  

B. ANNUAL LEAVE. – (Available to UI employees listed in A-6 (a) and A-6 (b) as described in Section B)

B-1. Employees receive annual leave based on their classification of employment. [FSH 3080]

   a. Classified Employees on full-time fiscal-year appointments accrue annual leave based on hours worked at the rate of approximately 3.7 hours bi-weekly for the first five full years of service, with a maximum accumulation of 192 hours; 4.6 hours bi-weekly up to 10 years of service, with a maximum accumulation of 240 hours; 5.5 hours bi-weekly up to 15 years of service with a maximum accumulation of 288 hours; and 6.5 hours bi-weekly for more than 15 years of service with a maximum accumulation of 336 hours. [RGPP II.E.3; FSH 3080; APM 55.08 and 55.09] [ed. 7-10]

   b. Faculty on full-time fiscal-year appointments and exempt employees, including postdoctoral fellows, accrue annual leave at the rate of 7.4 hours bi-weekly and may accumulate a maximum of 240 hours. [RGPP II.F.3, FSH 3080, APM 55.09] [ed. 7-10]  

   c. Faculty who hold academic-year appointments do not accrue annual leave. Their periods of obligation and leave are governed primarily by the academic calendar, subject to stipulation by the employee’s dean. [FSH 3120]  

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

B-3. Temporary employees who are eligible for PERSI accrue annual leave beginning on the first day of employment in an eligible position at a rate of .04625 times hours worked within each bi-week, however leave is not earned until the benefit qualification period has been satisfied. [ed. 7-16]  

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

Leave Accrual Example:
Annual leave accrues based only on hours worked.
62 hours worked times .04625 results in 2.90 hours of accrual and may accumulate to a maximum of 192 hours. [ed. 7-16]
B-4. Annual leave accrual is temporarily suspended when the accumulation reaches the maximum allowance. Once the leave accumulation drops below the allowed maximum, accruals resume.

B-5. Employees eligible for overtime earn overtime based on only hours worked. There is no overtime accrual based on annual leave, sick leave, compensatory time, holidays or any other paid time off.

B-6. Annual leave continues to accrue while on any paid leave, except that annual leave does not accrue on hours of compensatory time used; during terminal leave [K]; during academic transitional leave [J] or for temporary employees who accrue annual leave based only on hours worked.

B-7. At the employee’s option, accrued annual leave may be used during any approved leave that could otherwise be taken as sick leave. See E-3: Parenting Leave for the requirement to use sick leave prior to use of annual leave. [RGPP II.1.2.b.]

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

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

b. An employee on approved annual leave, who becomes eligible to use sick leave through unforeseen events, may use sick leave in lieu of annual leave. Documentation to support the use of sick leave may be required. [rev. 7-16]

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

Employees funded on grants or contracts are expected to use all earned annual leave during the appointment before expiration of the grant(s) or contract(s). Employees separating employment upon the expiration or termination of a grant or contract, will be required to use annual leave before their last day of employment. [rev. 7-16]

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

The effective date of the employee’s separation is the last day on which he or she reports to work for the university, unless Human Resources has approved a written request for alternative termination arrangements that are in the best interests of the university. [ed. 7-16]

A termination extended through the use of accrued annual leave must be approved in advance, in writing, by Human Resources and unit administrator and shall be treated as terminal leave. [J and APM 50.20][ed. 7-16]

In the event that an academic administrator transitions from a position eligible for annual leave to a faculty position in which annual leave does not accrue, balances should be exhausted prior to the start of the new appointment. Leave balances that cannot be used will be carried forward. If not used, the balance of unused annual leave will be paid at the time of separation of all State of Idaho service. Carry forward of annual leave balances exceeding eighty (80) hours must be approved in advance by Human Resources. [ed. 7-16]

B-10. Any individual, regardless of type of appointment, with an annual leave balance who transfers or who is reassigned to another unit within the university may be required to exhaust all existing annual leave prior to starting the new assignment.
B-11. Payment in lieu of annual leave taken for any reason other than separation from employment is granted only by exception or under other special circumstances within the business needs of the university.

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

C. SICK LEAVE. (Available to UI employees listed in A-6 (a) and A-6 (b) as described in Section C)

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

C-2. Sick leave accumulation for half-time but less than full-time service is accrued proportionately based on hours worked and earned at the rate of .04625 for each hour worked. [ed. 7-16]

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

C-4. Sick leave cannot be taken in advance of accrual. If, at the end of a bi-weekly pay cycle, absences exceed sick leave accumulation, the hours will be charged to compensatory time first, if available, and then to annual leave. If there is no leave accumulation, time will be unpaid. [ed. 2-08, rev. 7-16]

C-5. Sick leave continues to accrue while on any paid leave, except for hours of compensatory time used; during terminal leave; and/or during academic transitional leave [J]. [ed. 7-16]

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

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

   a. Illness or Serious Medical Condition of Employee. An employee’s own illness, or injury, or child birth by an employee—that prevents the employee from performing his or her assigned duties; or in the event of exposure to contagious disease if, in the opinion of responsible authority, the health of others would be jeopardized in the work place. [rev. 7-16]

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

   c. Death of an Immediate Family Member. In the event of a death of an immediate family member as defined in [A-3] of this policy, up to fifteen (15) days of sick leave may be used immediately following the event, but can be extended if there are special circumstances. The unit administrator and Human Resources may approve an extension of leave for up to a total of thirty (30) days of sick leave. [ed. 7-16]

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

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

   f. Parenting/Adoption. All eligible employees are entitled to use sick leave for parenting/adoption as provided in E. Parenting Leave. [rev. 7-16]
C-8. Attendance at work is a job requirement for all positions at the university. Excessive absenteeism can affect job performance. Supervisors may set reasonable attendance standards. Documentation may be required to be submitted to Human Resources to support absences. Absences that occur during an approved family medical leave [M] or personal leave [O] are exempt from these requirements. [rev. 7-16]

C-9. The federal Family Medical Leave Act of 1993 (FMLA) was adopted as law to protect the best interest and job security of employees. The university may initiate family medical leave (FML) and will apply FML concurrently with sick leave when the employee's own illness, work-related injuries, or an illness of a family member is covered by FML. In these circumstances, sick leave must be used before unpaid FML is taken [M-2]. [ed. 7-16]

C-10. An employee may be eligible for FML after three (3) consecutive days of sick leave, unpaid or other absence [M-4] and may initiate a request for FML at any time prior to an absence which they suspect may qualify. However, the university may also initiate FML and will typically take steps to determine if an absence qualifies as FML when an employee has missed five (5) consecutive workdays or longer by providing the employee with a medical certification form and FML application. A failure to comply with a request to complete and return the medical certification form and the FML application (if applicable), within a reasonable period of time, may result in absence without pay and/or disciplinary action, up to and including dismissal from employment (see FSH 3910, 3920 and 3930). [rev. 7-16]

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

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

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

D. HOLIDAYS. (Available to UI employees listed in A-6 (a) and A-6 (b) as described in Section D)

D-1. The university is closed at least eleven (11) holidays each fiscal year. [FSH 3460 F-2] [ed. 7-16]

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

D-32. Benefit-eligible employees [A-6.a.] who are employed full time (87.5 percent or greater) receive holiday pay based on eight (8) hours for each holiday. An employee who works a compressed work schedule to include more than eight (8) hours each day, such as four (4) ten-hour workdays in one week, will still receive only eight (8) hours of holiday pay. With supervisor approval, the employee may make up the difference between their regular hours of work and the holiday pay for that day (two [2] hours in this example) through a flexible work schedule within the same work week [FSH 3460], or may use accrued compensatory time or annual leave, or take the time as unpaid.

D-43. Benefit-eligible employees [A-6.a.] who are employed at least half time but less than full-time, are entitled to receive holiday pay, pro-rated based on the average number of hours scheduled each week. The number of
hours scheduled on a routine basis (not the hours worked in the week in which the holiday falls) is divided by five (5) days. For example:

20 hours per week / 5 = 4 hours of holiday pay
25 hours per week / 5 = 5 hours of holiday pay
30 hours per week / 5 = 6 hours of holiday pay

D-54. The university embraces diversity and recognizes that our workforce is derived from many diverse cultures to include many different religious preferences. An individual may be absent from work to observe a religious holiday consistent with his or her own religious beliefs and practices when the day is not consistent with the university’s official holidays, provided advance notice is given. Pay for these absences are as follows:

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

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

D-65. Benefit-eligible employees are entitled to holiday pay while they are on other approved paid leave, or during any portion of paid or unpaid family medical leave.

E. PARENTING LEAVE. [add. 7-15] (Available to UI employees listed in A-6 (a) who also meet the specific eligibility criteria as described in Section E)

E-1. Definitions.

a. “Parenting” is defined as the period of bonding that occurs within the first twelve (12) months of the birth, adoption or foster placement of the child in the family and ends twelve (12) months after. An employee who has given birth may be eligible for family and medical leave related to child birth disability and may continue leave followed by a period of parenting which begins at the expiration of the disability of the birth mother and/or child if applicable.

b. Son or daughter means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability. [rev. 7-16]

E-2. All university Employees are eligible to receive sick leave are eligible for Parenting Leave on or after (i) 180 days from their date of hire. Employees must also successfully complete any applicable initial probationary period or (extension thereof) to be eligible; or (ii) the date of successful completion of their initial probationary period, whichever is later. Eligible employees are entitled to 12 weeks of job protected leave with continuation of group health insurance coverage within 12 months of the birth, adoption, or foster placement of a son or daughter. [rev. 7-16]

E-3. If both parents are employees of the university and eligible for FMLA leave under Section M, each is entitled to take the same amount of parenting leave as allowed for a single employee. Only one employee is entitled to parenting leave if both parents are, as employees, have not met FMLA eligibility requirements as stated in M-3. [rev. 7-16]

E-4. Employees can choose to use a combination of accrued paid leave or unpaid leave. First, employees must use accrued sick leave (see FSH 3710 M-2). However, when the combination of the employee’s remaining sick leave, plus any additional accrued paid leave that may be available to the employee falls below 80 hours, then the employee may elect to use unpaid leave for parenting. However, employees must first use accrued sick leave (see FSH 3710 M-2) and then any accrued annual leave or compensatory time, provided however at each time as the employee’s total available leave falls below 80 hours the employee may elect to use unpaid leave for parenting, they have in excess of 80 hours before going on leave without pay. [rev. 7-16]
E-54. Parenting Leave should be applied for through Benefit Services. When the need for Parenting Leave is foreseeable, an employee must request an application at least thirty (30) days in advance of the need for leave. When events are not foreseeable, employees must provide as much notice as is possible. If an employee is eligible for FMLA leave under Section M, the Parenting Leave described in this section E. is intended to encompass the university's obligation to provide Family Medical Leave under the federal Family Medical Leave Act. [rev. 7-16]

E-55. Health benefits continue during Parenting Leave on the same basis as for any similarly-situated employee who is actively at work, regardless of whether the employee is using other forms of accrued leave or taking leave unpaid. The employee's share of cost for health coverage is the amount that is typically payroll-deducted for the employee's own coverage and/or coverage for his/her dependents. The employee is responsible for payment of these amounts during leave. Payroll deductions will be continued for any portion of the leave that is paid. During any portion of leave when no pay is received, the employee must make arrangements to self-pay these amounts. Retirement plan contributions, accruals for sick and annual leave and credit toward vesting are suspended during unpaid portions of Parenting Leave. [add. 7-16]

E-56. Upon return from Parenting Leave, employees will be assigned to their same or similar position with equivalent pay and status. [add. 7-16]

E-87. Leave may not be used for both foster care and adoption consecutively if foster placement leads to adoption of the son or daughter. [ren. 7-16]

E-98. Alternate or reduced work schedules are addressed in FSH 3710 M-13 b. [ren. 7-16]

F. MILITARY LEAVE. When an employee goes on military leave it is not considered a break in service. [Available to all UI employees as described in Section F1] [ren. & rev. 7-16]

F-1. Faculty and staff, regardless of whether or not they hold a fiscal-year or academic-year appointment are eligible for leave of up to one hundred twenty (120) hours per calendar year for active duty or military training. Employees who are in board-appointed positions [FSH 3080] are eligible for full pay while on paid military leave. When called to active duty or training, the university will pay the difference between military pay received from the U.S. or State government, but cannot duplicate pay. The employee must provide documentation of military pay received during leave, within ninety (90) days of return from leave or upon earlier job separation. The employee is required to repay to the university any amount which exceeds their regular base pay for the same period. Unpaid military leave may be requested if the employee knows their military pay will exceed their university pay. Annual and sick leave credit towards length of service for retirement plan, and other vesting will continue to accrue according to the applicable plan documents. Instead of taking military leave, an employee may request annual leave on the same basis as any other vacation or other time off and if approved, retain full military pay. [APM 55.09 and 55.38] [ed. 7-10, rev. 7-16]

F-2. Any employee who is called to active duty and/or is required to serve more than one hundred twenty (120) hours is eligible for up to five (5) years of military leave. Eligibility for employee health coverage will continue at a minimum through the first thirty (30) calendar days of service while on an approved military leave. The employee will be required to pay the employee share of the health care costs, as well as the costs for his/her dependents. [ed. 7-16]

F-3. An employee may choose to use annual leave and/or accrued compensatory time for military service and continue to receive pay and benefits at any time. [rev. 7-16]

F-4. Military leave beyond the first one hundred twenty (120) hours is generally granted without pay and benefits. Health care coverage will end for the individual who is called to active duty after the first thirty (30) days of service. However, coverage for his/her dependents may continue and are subject to the applicable benefits based on the university's current Summary Plan Document at the time of reinstatement: contact Benefit Services. [ren. 7-16]
F-5. An employee may also have the right to life insurance portability or conversion to an individual life insurance policy following termination of benefits in the group plan. [rev. & ren. 7-16]

F-6. Upon reinstatement to active university employment, the employee’s health plan will resume as if their employment had not been interrupted. [ren. & rev. 7-16]

F-7. In accordance with state and federal law, an employee upon return will be reinstated to his/her former position or a comparable position without loss of seniority, status or pay rate provided the employee returns with an honorable discharge and within five (5) years from departure date from the university. [ren. 7-16]

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

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

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

   b. Employees returning from military leave must provide the university with written timely notification of intent to return to their position. The university may require documentation that the person’s discharge from uniformed services was under honorable conditions. University procedures will follow the applicable state and federal law, including but not limited to the Uniformed Services Employment & Reemployment Rights Act (USERRA), 38 U.S.C. 4301-4333, enforced by Department of Labor’s Veterans' Employment & Training Services (VETS) (www.dol.gov/vets.)

F-8. Retirement benefit contributions are suspended while the employee is on unpaid military leave when the one hundred twenty (120) hours per F-1 have been exceeded. Upon reinstatement to active university employment after military leave, reenrollment in the retirement plan will be accomplished in accordance with the plan documents. [ren. & rev. 7-16]

   a. Credited state service continues during military leave as though no break in employment has occurred.

   b. The employee may elect to make up any employee contributions missed during an approved military leave. Such contributions must be paid into the plan within a period not to exceed three (3) times the length of the military leave, up to a maximum of five (5) years.

   c. The university will contribute the regularly scheduled match contributions for any employee make-up payments made in connection with an approved military leave.

   d. For purposes of determining eligibility for retiree health coverage, military leave will not count as a break in service provided that re-employment occurs within the parameters of this policy. Further, an employee will receive university service credit for purposes of determining eligibility under the Retiree Health Program [FSH 3730] during the fifteen (15) days of approved paid military leave; however, the employee will not receive service credit for purposes of determining eligibility under the Retiree Health Program [FSH 3730] for any unpaid military leave.

F-9. This policy is intended to comply with applicable state and federal laws, including the Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994. To the extent that any provision of this policy is ambiguous and/or contradicts the Act or any other law, the applicable law or Act will prevail. [ren. 7-16]
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Chapter III: EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF
Section 3710: Leave Policies for All Employees

G. LEAVE FOR COURT REQUIRED SERVICE AND VOTING. [ren. 7-16] (Available to all UI employees as described in Section G)

G-1. Any employee who is summoned for jury duty or subpoenaed as a witness before a court of competent jurisdiction or as a witness in a proceeding before any federal or state administrative agency will be granted leave. Benefit-eligible employees will be granted leave with pay, except as provided below in G-2. Travel expenses in connection with this duty are not subject to reimbursement by the university. [RGPP II.I.5.a.2; APM 55.09] [ed. 7-10, 7-16]

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

   a. appearing as a party in a non-job-related proceeding involving the employee;

   b. appearing as an expert witness when the employee is compensated for such appearance; or

   c. appearing as a plaintiff or complainant, or as counsel for a plaintiff or complainant, in a proceeding in which the Board of Regents or any of its institutions, agencies, school or office is a defendant or respondent. [RGPP II.I.5.a.]

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

H. LEAVE FOR CAMPAIGNING FOR OR SERVING IN PUBLIC OFFICE. [ren. 7-16] (Available to UI employees as described in Section H)

H-1. The president approves requests for leaves of absence for the purpose of campaigning for or serving in public office [RGPP II.1.5.c.]. See FSH 6230 E for provisions concerning leave for campaigning and serving in public office.

H-2. It is the Board of Regent’s intent that state salary not be duplicated to an employee serving as a member of the Idaho Legislature. Any leave for serving as a member of the Idaho State Legislature will be unpaid when the Legislature is in session [RGPP II.1.5.c.2.]. Certain benefits may continue during the unpaid leave; however, the employee must pay the full cost of coverage.

I. ADMINISTRATIVE LEAVE. [ren. 7-16] (Available to all UI employees as described in Section I)

I-1. Administrative Leave is leave with pay and benefits. An employee will continue to receive pay and leave accruals in accordance with their regular rate and maintain eligibility for other benefit programs. (Terminal leave (K) and academic transitional leave (J) are not considered administrative leave.) [ed. 7-16]

I-2. At the discretion of the president or his/her designee, an employee may be granted administrative leave when the state or the university will benefit as a result of such leave. [RGPP II.1.5.d; FSH 3470 B] [ed. 7-10, 7-16]

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

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

I-5. In all cases involving administrative leave with a duration that is more than one bi-week, an electronic personnel action form (EPAF) must be processed. When leave is less than one full bi-week, hours attributed to administrative leave shall be coded as “ADL” on the time/leave record and in the payroll system.
I-6. In the absence of a written agreement to the contrary, an employee on administrative leave must be available for recall to work during regular university business hours in the event that the employee’s services are required or he/she is otherwise requested to return to work.

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

I-8. Administrative Leave with Pay. When the president or designee makes a decision to close, cancel classes, or postpone the opening, employees will be authorized Administrative Leave with pay. When approved, employees will enter hours as follows for emergency closure days:

Classified and PERSI-eligible TH will enter the hours they would have worked. Exempt and faculty enter leave if leave taken is more than 4 hours and will record leave only if they were out more than 4 hours.

a. (TH) Temporary Help (PERSI-eligible only) – enter hours regularly scheduled but not worked due to the closure under the Administrative Leave code, up to 8 hours,

b. Classified – enter hours not worked due to closure under the Administrative Leave code, up to 8 hours,

c. Exempt & Faculty – enter hours not worked, if over 4, due to closure under the Administrative Leave code, up to 8 hours.

J. ACADEMIC TRANSITIONAL LEAVE. [ren. 7-16] (Available to all UI employees as described in Section J)

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

J-2. There is no accrual of annual leave during the period of academic transitional leave. All other benefits and leave accruals are provided on the same basis as afforded to similarly situated employees in a faculty job classification. Annual leave balances should be exhausted prior to a new academic faculty appointment. Leave balances that cannot be used will be carried forward. If not used, the balance of unused annual leave will be paid at the time of separation of all State of Idaho service. Carry forward of annual leave balances exceeding eighty (80) hours must be approved in advance by Human Resources. [ed. 7-16]

K. TERMINAL LEAVE. (Available to all UI employees as described in Section K) [ren. 7-16]

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

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

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

L. SHARED LEAVE. [ren. 7-16] (Available to employees listed in A-6 (a) subject to specific eligibility criteria described in Section L)
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L-1. University employees who earn annual leave may donate annual leave hours to shared leave. Shared leave may be donated to a shared leave pool or to the benefit of a specific eligible recipient. See FSH 3710 L-5 below and APM 55.07 C-3 for conversion of donated leave to shared leave. [ed. 7-10, rev. 7-15]

L-2. Eligibility. Benefit-eligible employees, including academic year faculty who do not accrue annual leave, are eligible to receive shared leave. If an employee is only eligible for benefits under the Patient Protection and Affordable Care Act (PPACA) they do not qualify for shared leave. [rev. 7-15, 7-16]

a. Qualifying Events. If any benefit-eligible employee [A-6. a.] who has a health condition [L-2.a.1] or whose immediate family member [A-3] has such a condition and the employee is required to take time away from work, and has exhausted all leave, the employee may apply for shared leave. [rev. 7-16]

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

2. An applicant for shared leave who has used his or her own annual leave for purposes other than attending to a medical condition that is known to create potential for an extraordinary need for leave typically is not eligible for leave from the shared leave pool. Under extraordinary circumstances, such an applicant may request an exception to receive shared leave from directed donations. [ren. 7-15]

3. Shared leave that is donated from the shared leave pool is intended for use by employees who intend to return to work. An applicant who wishes to receive shared leave and otherwise meets the criteria of the program and does not intend to return to work may apply for shared leave; however, shared leave in this instance is available only from donations directed specifically to that one recipient. [ren. 7-15]

b. Prerequisites. An employee must use all other available leave such as sick leave, annual leave, and compensatory time to qualify for shared leave. If an employee receives shared leave during the first year of their employment with the university, and does not return to active service for at least thirty days after completion of their leave, they may be expected to repay the compensation they received, unless this requirement is waived by the president, or his/her designee. [rev. 7-16]

c. Disability Income. To be eligible for shared leave for the employee’s own medical condition that is expected to last longer than thirty days, employees must first apply for wage replacement benefits that may be available through disability coverage. In cases of job-related injuries, employees must first apply for wage replacement through workers’ compensation. Once such benefits begin eligibility for shared leave benefits end. However, an otherwise eligible employee may use shared leave while satisfying the waiting period or after exceeding maximum disability periods for income replacement programs. Shared leave cannot be claimed when time away will be paid through wage replacement programs such as disability and workers’ compensation benefits. [rev. 7-16]

L-3. Donating Annual Leave to Shared Leave Pool. [ed. 7-16]

a. Employees who have an accrued annual leave balance may donate to shared leave regardless of their funding salary source. Donations may be made to the shared leave pool and accessed by any eligible recipient or donated directly to a specific shared leave recipient. [rev. 7-15]

b. Leave donations made for a specific individual will be drawn from donors’ accounts based on a first-received basis. The first donation request received by Benefit Services will be processed before a second donation from other recipients or before hours are withdrawn from the shared leave pool. Donations will be drawn from the donor’s annual leave account at the time it is transferred and used by the recipient (see conversion below in L-5.b). No leave donation in excess of the recipient’s shared leave needs will be taken.
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L-4. Shared Leave Benefits.

a. Maximum Benefit. The maximum shared leave benefit is limited to four (4) working weeks of leave within a rolling twelve (12) month period. Shared leave hours granted will be prorated based on employee’s FTE. [ren. 7-16]

b. Recipients of shared leave from the shared leave pool will receive the benefit on a first-come, first-serve basis as the pool balance must not fall below zero dollars. If funds are unavailable from the shared leave pool, then the recipient would be required to solicit direct donations. [add. 7-16]

c. Shared leave requests are reviewed and granted by Benefit Services in accordance with this policy. Applicants awarded shared leave will be notified in writing; if the request is denied, the reason(s) for denial shall also be stated in writing. The requestor may appeal a denied request for shared leave. Appeals must be made in writing to Human Resources within thirty (30) days from the date of denial and must reference the applicable sections of policy and reasons why there is disagreement. Human Resources will respond to appeals within thirty (30) days. [ren. & ed. 7-16]

L-5. Funding and Conversion.

a. Funding for a full year of base salary is provided for most positions. A department typically has received funding for the duration of the employee’s full appointment. If an employee is absent without pay, the department would achieve salary savings as a result. The only exceptions would apply to those working from certain special funding sources or who hire a temporary replacement during the period of unpaid leave. Consequently, the department of the employee who will receive shared leave is responsible for funding the employee’s pay during leave from shared leave donations. [ren. & rev. 7-16]

b. Conversion for donations. Hours donated by an employee are calculated at the donor’s hourly rate and converted to dollars that will be distributed to the recipient using the recipient’s hourly rate. Direct donations donors should be aware that if the conversion value from donated hours is greater than the intended recipient uses, any unused dollars will go into the Shared Leave Pool. [add. 7-16]

M. FAMILY MEDICAL LEAVE. [ren. 7-15] (Available to all UI employees subject to specific eligibility criteria described in Section M)

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

a. the birth of a son or daughter of the employee and/or in order to care for such son or daughter; [rev. 7-15, ed. 7-16]

b. the placement of a son or daughter with the employee for adoption or foster care; [rev. 7-15]

c. to care for an immediate family member as defined in [A-3] of this policy with a serious health condition as defined in [M-5] of this policy;

d. because of the employee’s own serious health condition [M-5]; or
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The entitlement to leave under subparagraphs (a) and (b) of this section M-1 for a birth or placement of a son or daughter is encompassed in the Parenting Leave described in Section E, of this policy. Parenting Leave taken under Section E, by an employee who is also eligible for Family Medical Leave shall be counted as Family Medical Leave to the full extent of the employee’s eligibility for Family Medical Leave at the time the leave is taken. Parenting Leave that falls outside of the requirements of the Family Medical Leave Act does not count against an employee’s Family Medical Leave entitlement. [add. 7-15, rev. 7-16]

M-2. Family medical leave and/or service member family medical leave is generally leave without pay. However, see Section E above for specialized provisions in the case of parenting leave. In addition, when the absence is not for parenting but also qualifies for the use of sick leave, if available, employees may choose to use any combination of paid leave before going on leave without pay to reduce their total balance to 80 hours. Sick leave must be used first in conjunction with family medical leave before any period of unpaid absence. Once sick leave has been exhausted or wWhen the type of absence does not qualify for the use of sick leave, the entire absence or remainder of the approved family medical leave will be unpaid. However, if an employee has more than 80 hours of accumulated annual leave or compensatory time, they must use these hours first before going on leave without pay. Employees may choose to use any combination of compensatory time or annual leave before going on leave without pay to reduce their total balance to 80 hours. [rev. 2-08, 7-16]

M-3. Eligibility. If the employee has been employed by the university for a minimum of twelve (12) months and has worked at least 1250 hours during the previous twelve (12) month period prior to the requested leave, the employee is eligible for family medical leave. This eligibility requirement does not apply to eligibility for Parenting Leave under Section E. [rev. 7-15]

M-4. Length of Leave. A maximum of up to twelve (12) weeks or a total of 480 hours of family medical leave may be granted to eligible full-time employees during a rolling twelve (12) month period. Eligible part-time employees may be granted up to twelve (12) working weeks of leave or a total number of hours consistent with their regular work schedule within a twelve (12) week period. (i.e. 20 hours per week x 12 weeks = 240 hours). The period is measured from the date the employee last used/exhausted family medical leave or became employed by the university to the date leave is to begin. Family medical leave may be taken on a continuous, intermittent, or reduced-hour basis. [rev. 7-15]

M-5. Definitions. [rev. 7-15]

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

1. treatment two (2) or more times by or under the supervision of a health care provider; or one treatment by a health care provider with a continuing regimen of treatment; or
2. pregnancy or prenatal care. A visit to the health care provider is not necessary for each absence; or
3. chronic serious health condition, which continues over an extended period of time, requires periodic visits to a health care provider, and may involve occasional episodes of incapacity (e.g. asthma, diabetes). A visit to a health care provider is not necessary for each absence; or
4. permanent or long-term condition for which treatment may not be effective (e.g. Alzheimer's, a severe stroke, terminal cancer). Only supervision by a health care provider is required, rather than active treatment; or
5. absences to receive multiple treatments for restorative surgery or for a condition which would likely result in a period of incapacity of more than three days if not treated (e.g. chemotherapy or radiation treatments for cancer).
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6. "parenting" is defined as the period of bonding that occurs within the first twelve (12) months of the birth, adoption or foster placement of the child in the family and ends twelve (12) months after. An employee who has given birth may be eligible for family and medical leave related to child birth disability and may continue leave followed by a period of parenting which begins at the expiration of the disability of the birth mother and/or child if applicable. See Parenting Leave E for non-FMLA parenting leave.

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

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

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

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

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

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

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

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

a. Shared leave (if granted) may be used for the disability period related to childbirth. [rev. 7-15]

b. Intermittent leave or reduced work schedule requests for parenting may not be granted, or may be cancelled by the university with thirty (30) days written notice, based on business needs of the university.
M-14. Family medical leave taken by two (2) university employees to care for a family member who has a serious health condition consists of a maximum twelve (12) weeks of leave for each employee. Family medical leave for parenting is addressed in FSH 3710 E. [rev. 7-15]

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

a. revoke leave;

b. not grant leave;

c. require new evidence to support the leave request;

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

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

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

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

N. SERVICE MEMBER FAMILY AND MEDICAL LEAVE. The federal Family and Medical Leave Act (FMLA) now entitles eligible employees to take leave for covered family members’ service in the Armed Forces (Service member Family and Medical Leave) in two instances. This section of the policy supplements the above family medical leave policy and provides general notice of employee rights to such leave. Except as stated below, an employee’s rights and obligations to service member family and medical leave are governed by the general family medical leave policy. [add. 2-08, ren. 7-15]

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

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

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

c. “Covered family member” means any family member who is a member of the Armed Forces, including a member of the National Guard or Reserves, regardless of where stationed and regardless of combative activities.
d. A “covered veteran” is an individual who was a member of the armed forces (including a member of the National Guard or reserves) and was discharged or released under conditions other than dishonorable at any time during the 5-year period before the first date the eligible employee takes FMLA leave to care for the covered veteran.

  1. An eligible employee must begin leave to care for a covered veteran within 5 years of the veteran’s active duty service, but the “single 12-month period” may extend beyond the 5-year period. [add. 7-16]

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

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

b. To care for a covered family member who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces, or that existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty in the armed forces, provided that such injury or illness may render the covered family member medically unfit to perform duties of the family member’s office, grade, rank or rating. [rev. 7-16]

c. In the case of a covered veteran, an injury or illness that was incurred by the member in the line of duty on active duty in the armed forces (or existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty in the armed forces) and manifested itself before or after the member became a veteran and is:

  1. A continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the armed forces and rendered the service member unable to perform the duties of the service member’s office, grade, rank, or rating; or
  2. A physical or mental condition for which the covered veteran has received a U.S Department of Veterans Affairs Service-Related Disability (VASRD) rating of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or
  3. A physical or mental condition that substantially impairs the covered veteran’s ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
  4. An injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the U.S Department of Veteran’s Affairs Program of Comprehensive Assistance for Family Caregivers. [add. 7-16]

N-3. Duration of service member family and medical leave:

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

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

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

O. PERSONAL LEAVE. [ren. 2-08, 7-15] [Available to UI employees listed in A-6 (a) and A-6 (b) as described in Section Oi]

O-1. Any employee not covered by another university leave type within this policy may request a personal leave of absence.
O-2. Personal leave is leave without pay and without benefits. However, the supervisor may require the use of sick, annual or any other type of accrued leave if the absence qualifies and leave is available. Personal leave may be taken with pay and benefits when other paid leave such as annual leave is taken concurrently. In rare circumstances, leave may be approved without pay, with continued benefits, but only when approved as an exception and only when doing so meets the business needs of the university. Hiring units are responsible for funding the benefits under these circumstances. [APM 55.38] [ed. 7-10]

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

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

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

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

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

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

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

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

P. EXTENDED MEDICAL LEAVE. [ren. 2-08, 7-15, ed. 7-16] [Available to all UI employees subject to specific eligibility criteria described in Section P]

P-1. Extended medical leave (EML) extends job protection and health benefits beyond the expiration of family medical leave. EML is intended for the following: [ed. 7-16]
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a. Individuals who plan to return to work and have a prognosis to support return to work with assumption of full duties and responsibilities of their position, with or without reasonable accommodation, within a total absence period of no more than twelve (12) consecutive months; or

b. Individuals who do not have an acceptable prognosis to return to work, but whose absence qualifies for the use of sick leave and who have an unused sick leave balance upon the expiration of family medical leave.

P-2. EML and other options for an employee’s return to work following an approved family medical leave must be coordinated and approved through Benefit Services, in consultation with the supervisor, and are granted at the discretion of the university, but are not guaranteed. EML may not exceed a total absence period of twelve (12) consecutive months. [ed. 2-08, rev. 7-16]

P-3. Acceptable medical certification and/or other documentation to support a prognosis for return to work must accompany all requests for EML. If acceptable medical certification and/or other documentation are not provided, notice of contemplated job action to separate the employee from employment at the expiration of family medical leave may be served upon the employee if all sick leave has been exhausted. [ed. 7-16]

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

   a. the date in which all sick leave will be exhausted; or

   b. expiration of six (6) months of accumulated leave, measured from the date in which leave was first granted for the same condition.

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

P-5. Sick and all other available paid leave must be used concurrently with and taken first before any period on unpaid leave during EML. EML is leave with benefits but without pay, unless accrued sick or annual leave or compensatory time is used. [ed. 7-16]

P-6. An employee with a sick leave balance who separates from employment upon the expiration of EML and qualifies as a disabled retiree, or as a retiree eligible for any tier of university retiree medical coverage that requires retiree cost sharing, may convert a predetermined amount of the unused sick leave to pay for the retiree’s share of the cost for their own university medical coverage. [FSH 3730] [ed. 7-16]

P-7. Health benefits will continue during an approved EML in the same manner afforded to any employee of the same classification who is actively at work. [ed. 7-16]

   a. The employee must make arrangements to self-pay his/her share of employee and dependent benefit costs during any portion of EML that is unpaid. [ed. 7-16]

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

   c. Short and/or long-term disability wage replacement payments and/or actively at work provisions for death and other benefits provisions within PERSI and similar contracts refers to an employee being actively at work (employed and not on leave) on the date in which the disability has first begun. An employee whose condition began before taking a leave of absence and who has qualified or met the conditions in accordance with provisions set by the carrier will continue to receive benefits and/or remain eligible for such benefits during Extended Medical Leave, and/or upon separation from employment if unable to return to work. [Refer to Disability and Retirement Plan Handbooks http://www.uidaho.edu/human-resources/benefits] [ed. 7-16]
P-8. Employees who have been granted EML are required to provide documentation to support progressive medical improvement. Medical certification and other documentation may include temporary restrictions of duties and/or periods of part-time work. However, restrictions of job duties and/or part-time work restrictions must be approved by Human Resources and the hiring authority, and must intend and attempt to phase an employee back to work to a level of full assumption of job duties, with or without reasonable accommodation. [ed. 7-16]

P-9. During EML, the university may require reasonable periodic re-certification and updates regarding the employee’s medical condition, prognosis for improvement, and fitness for duty. A release to return-to-work from the health care provider is required before an employee may return to work. The university, at its own expense, may require medical pre-screening for return to work in a position that includes pre-employment medical pre-screening to ensure the safety and fitness for prescribed job duties before an employee is allowed to return to work with or without restriction of job duty. [ed. 7-16]

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

P-11. If at the expiration of the EML period the employee is still unable to perform the essential duties of his/her position with or without reasonable accommodation, the university has the right to separate any employee from employment and/or to end EML and begin job separation when the medical prognosis ceases to support a return to work within EML limits. [FSH 3910, 3920 and 3930][ed. 7-16]

Q. LEAVE FOR PROFESSIONAL IMPROVEMENT. [ren. 2-08, 7-15] (Available to faculty with instructor rank or above, exempt employees and classified staff as described in Section Q)

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

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

   a. To participate in this plan, the faculty or staff member must have completed four (4) years of service before the time the leave is to begin.

   b. Generally, at least two (2) years of service must intervene between a sabbatical leave and a leave for professional improvement or at least five (5) years of service must intervene between a leave for professional improvement and a subsequent request for the same type of leave.

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

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

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

Q-6. The employee may request approval to use accrued annual leave and to have an equal amount of administrative leave with pay granted to permit his or her participation in a program of professional improvement.
R. EXCEPTIONS, [ren. 2-08, 7-15]

R-1. Exceptions to these policies may be considered to the extent that such an exception is not contrary to state and federal laws, the Board of Regent policies and procedures, and are considered in the best interest of the university. The respective unit administrator, Human Resources, and the president or designee as required, can grant exceptions. A request for exception must be submitted and approved by the supervisor and forwarded to Human Resources for further consideration of all approvals. [ed. 7-16]