Call to Order.
In Memoriam.
Minutes. Meeting #2, December 10, 2013
Announcements.
Special Orders. Report of the Faculty Senate

[Hardcopies of all pertinent documents for this meeting can be accessed at the Faculty Senate Website http://www.webs.uidaho.edu/facultycouncil/General_Faculty_Meetings/univ_faculty_meetings.htm]

I. Proposed Changes/Additions to Faculty-Staff Handbook (FSH)/Administrative Procedures Manual (APM)

Student Code of Conduct:
- **FS-14-001**: FSH 2300 – Student Code of Conduct (will replace current Code FSH 2300 – FS-14-043)
  - **FS-14-043**: FSH 2300 – Student Code of Conduct current policy redline (will be replaced by FS-14-001)
- **FS-14-042**: FSH 2100 – The Student and the University
- **FS-14-031**: FSH 2200 – Statement of Student Rights
- **FS-14-027**: FSH 2305 – University Disciplinary Review Process for Alleged Violations of Student Code of Conduct (will replace current 2400)
- **FS-14-028**: FSH 2400 – Student Judicial System (current policy to be deleted and replaced by 2305 above)
- **FS-14-029**: FSH 2450 – Appeals to Faculty Senate in Disciplinary Cases (delete)
- **FS-14-030**: FSH 2350 – Sexual Harassment & Sexual Violence Pertaining Specifically to Students (delete)
- **FS-14-032**: FSH 1640.93 – University Judicial Council
- **FS-14-041**: FSH 1620 – University-Level Committees

Instructor/Senior Instructor/Clinical/Lecturer:
- **FS-14-036**: FSH 1565 – Ranks & Responsibilities
- **FS-14-037**: FSH 1590 – Unit By-laws
- **FS-14-038**: FSH 3320 – Annual Evaluation
- **FS-14-039**: FSH 3560 – Promotion
- **FS-14-040**: FSH 3570 – Professional Portfolio

Academic Freedom – Faculty Governance:
- **FS-14-045**: FSH 1520 – University Constitution (requires quorum and 2/3rd affirmative vote)
- **FS-14-045rev**: FSH 1520 – University Constitution (requires quorum and 2/3rd affirmative vote) *(Pending the outcome of Faculty Senate meeting on April 22, 2014 the above change may be replaced with this requested revision.)* - failed
- **FS-14-046**: FSH 3160 – Academic Freedom

Smoking (endorsement):
- **FS-14-047**: APM 35.28 – Smoking policy

Miscellaneous (FYI):
- **FS-14-024**: FSH 1640-86 – Teacher Education Coordinating Committee
- **FS-14-033**: FSH 1640.53 – Honors
- **FS-14-044**: FSH 3840 – Procedures for Faculty Appeals
- **FS-14-050**: FSH 3890 – Grievance Procedures for Exempt Employees
- **FS-14-049**: APM 95.13 – Surveillance Cameras

II. Proposed Changes to the University of Idaho Catalog

- **FS-14-035**: UCC-15-056 – Final Exam Schedule
- **FS-14-048**: UCC-14-057 – Online Programs
President's Remarks.

Gail Z. Eckwright, Secretary of the Faculty, (885-6151)

NOTE: 101 faculty members (all campuses state-wide) constitute a quorum. Quorum and voting regulations can be viewed at FSH 1520 Article III with the goal to actively include off-campus faculty participation in faculty meeting. To determine your voting right as a faculty member please see FSH 1520 Article II Section I. Those who are recognized by the president for the purpose of speaking should identify themselves by name and discipline or position.

NOTICE: Off campus faculty will be receiving a separate email with a URL to access the meeting live. Also available at this site will be a streaming video link that can be viewed after the meeting for those unable to attend.
Interim President Don Burnett, presiding

[Video available at: http://www.youtube.com/watch?v=fCcVA50WCho&feature=youtu.be]

Call to Order: The meeting was called to order at 3:15pm (Pacific) and it was determined that a quorum had not been achieved with 81 faculty present, including 17 at University of Idaho centers. The minutes from the September 10, 2013, University Faculty Meeting stand approved as submitted by the Faculty Secretary.

President Burnett welcomed all to the meeting and thanked faculty senate for working so effectively during the fall. He offered particular thanks to Trish Hartzell, senate chair, Marty Ytreberg, senate vice-chair, Gail Eckwright, secretary, and Ann Thompson, assistant to the faculty secretary.

President Burnett then thanked Jeff Dodge, associate dean of the College of Law, for his interim work with enrollment management while UI conducts a search for a permanent appointee to this position. Mr. Dodge and his staff have brought a very welcome retail/customer service orientation to enrollment management which should result in a higher yield on offers made to potential UI students.

- Communications and Marketing has been working to emphasize the accomplishments of individual UI faculty, programs and colleges. In the past there has been appropriate and important emphasis on general brand identification for the university; and now we also will emphasize our spires of excellence to allow for much more particularized information in UI communications.
- Beginning in January 2014 there will be a series of events continuing through the year commemorating the University of Idaho’s 125th anniversary.
- University safety continues to be an important agenda item. This fall UI:
  - Formalized a threat assessment and management team.
  - Undertook a series of initiatives to improve alcohol and substance abuse education and safety, with thanks to Bruce Pitman, dean of students, and student affairs for their work in this area.
  - Improved lighting on the Moscow campus through work by facilities under the direction of Ron Smith, vice-president for finance and administration. The new and improved lighting will make the campus safer and will enhance perceived safety, as well.
  - Added traffic calming features, such as planters on 6th Street, to slow traffic and allow motorists to have better awareness of pedestrians.
- Capital campaign: a short time ago UI had raised $169 million of its $225 million fund-raising goal. We now have passed the $200 million mark with thanks to Chris Murray, vice-president for university advancement, and the deans and development officers. This money will go to student scholarships, facilities, faculty and new programs.
- The Idaho Council of Higher Education Presidents, chaired by President Burnett, has resolved that CEC (change in employee compensation) is a number one priority for the upcoming legislative session. The State Board of Education (SBOE) has concurred with the council’s resolution. We will not know until the governor gives his State of the State address whether CEC will be part of his budget.
- The staff classification effort began last spring and will conclude soon. The calibration work to remove anomalies is underway and Provost Aiken has established peer groups to look at the data, along with the Sibson consultants. The process is expected to be completed by January 2014.
- Provost Aiken continues to work on Focus for the Future (FFF) which will hit its stride in January 2014. Savings from the FFF process will be used to address: a structural budget hole of $1.5 million (this year); compensation issues, with emphases on compression and retention; ongoing or new programs, including
programs that may have been underachieving due to a lack of investment by the university.

- President Burnett has been in weekly contact with Chuck Staben, who will become president of the University of Idaho on March 1, 2014. President Burnett expressed his high hopes for the new presidency.

President Burnett then concluded his opening remarks with words from Justice Brandeis, a well-known American legal figure, who said that public universities should always be trying to achieve goals that are beyond immediate reach. The aim must be high and the vision broad. President Burnett thanked all who have ensured a broad vision and high aim at the University of Idaho.

Senate Chair Trish Hartzell then returned to the podium for the business portion of the meeting. Chair Hartzell thanked faculty and staff colleagues in Boise, Coeur d’Alene, Idaho Falls and Twin Falls, as well as senators past and present, for their work. She also thanked those who participate in faculty senate committees, with a special thanks to committee chairs. Chair Hartzell noted that senate continues to work on a broad range of issues including: dual career accommodation, changes in student and faculty evaluation forms, staff reclassification project, working with Provost Aiken on Focus for the Future, working together with staff on a planned campus smoking ban, and continuing to review policy and curricular changes. The Brink Lounge has been remodeled this past fall and it will now be a dedicated space for faculty and staff to have impromptu meetings with their colleagues. Faculty senate meetings on Tuesday afternoons are the only meetings that will be scheduled in the newly remodeled lounge. The dedication gala for the remodeled lounge will be held on January 14, 2014. The first event in UI’s 125th anniversary celebration will be held at the Grove Hotel in Boise on January 22, 2014.

Chair Hartzell then directed faculty attention to proposed changes to the Faculty-Staff Handbook (FSH) and the General Catalog. Proposed changes have received senate approval and in the absence of a quorum at today’s university faculty meeting, the constitution of the university faculty allows for tacit approval of all business items with one exception (FSH 2100). Agenda items are arranged in groups with those items most likely to generate the greatest discussion placed in Group 1.

I. Faculty Staff Handbook (FSH) and Administrative Procedures Manual (APM) proposed changes.

FS-14-010: FSH 3520 – Tenure (hire associate professor with tenure). This item came from the Faculty Affairs Committee (FAC) chaired this year by Professor Paul McDaniel. This change will allow UI to hire a faculty member with tenure at the associate professor level, but only with a supporting majority vote by the tenured faculty in the hiring unit.

FS-14-014: FSH 2310 – Amnesty. This is a new policy in FSH Chapter 2 and it is designed to ensure that the threat of university sanctions does not prevent a student from seeking help for assistance to another student in a potentially life-threatening situation. The amnesty policy was drafted by the Dean of Students office and carefully reviewed by Faculty Senate, and the University Judicial Council (UJC), chaired this year by Professor Steve Shook.

FS-14-016: FSH 2100 – The Student and the University. This is a revision to an existing policy that establishes the contract between the student and the university. This particular policy requires a quorum and a vote for approval. Ongoing conversations with General Counsel will determine how we proceed with this policy. [N.B. At their December 2013 meeting the Regents determined that “the requirement of a prior direct approval of the Regents to effect a change in FSH 2200 - Statement of Student Rights, is inconsistent with Board policy III.P.12.” This interpretation therefore negates paragraph 2 of Section VI of FSH 2200 – Statement of Student Rights which allows change only by the Regents. As such
General Counsel has determined that the quorum requirement at a university faculty meeting before changes to, or that may affect FSH 2200 such as FSH 2100 does, is no longer in effect due to the Regent’s ruling and thus FSH 2100 is deemed to have faculty approval. Therefore, FSH 2100 also received tacit faculty approval at the University Faculty Meeting on December 10, 2013.

**FS-14-006. FSH 4700 – General responsibilities of instructors (visitors attending class).** This change will bring the FSH into conformity with a previously approved catalog change allowing faculty to determine whether visitors may attend classes.

**FS-14-009. FSH 1565 – Ranks & Responsibilities (emeritus title).** The Faculty Affairs Committee revised the language defining emeritus faculty eligibility to include a minimum of 8 years of UI service and a rule of 65, ensuring that the emeritus rank will be meaningful to those who have attained it.

**FS-14-011. FSH 6520 – Public Records.** These two items are linked. The lengthy language in the FSH has been removed as all public records requirements are determined by state law. The proposed changes will make it clear that only the Office of General Counsel may respond to requests for UI public records.

**FS-14-020. FSH 1620. University-level Committees (quorum for University Judicial Council).**

**FS-14-021. FSH 1640.18 – Borah; FSH 1640.76 – Safety.**

**FS-14-022. FSH 1640.93 – University Judicial Council; FSH 1640.58 – Ubuntu.** These informational items are changes to the wording of specific committees. FSH 1640.93 makes it clear that anyone interested in serving on the UJC must be available to participate in a hearing at very short notice.

### II. Proposed changes to the University of Idaho catalog.

**FS-14-018 (UCC-14-036): College of Graduate Studies 3+2**

This proposed change originates with the College of Graduate Studies (COGS). COGS has developed a program that will allow foreign students who are paying their tuition and fees to come to UI for their senior year after spending three years at their home institution. Students who are academically qualified may stay an additional year to earn a non-thesis master’s degree. This proposed change passed the University Curriculum Committee and was approved by senate. Professor Wichman inquired whether this would have to be an existing non-thesis master’s degree and Chair Hartzell responded that it is up to departments to decide whether to offer the 3+2 option and accept students into this program. Departments that do not currently offer a non-thesis master’s degree would need to establish a non-thesis master’s degree before offering the 3+2 option.

Chair Hartzell then thanked President Don Burnett for being an exemplary leader and credited him with improving morale at the University of Idaho, turning the university in a more positive direction and initiating a vision. Chair Hartzell also thanked Marty Ytreberg, Gail Eckwright, and Ann Thompson for their work throughout the year.

**Recognition for President Burnett.** Chair Hartzell next recognized Professor Kenton Bird who proposed a special order of business. Professor Bird observed that without a quorum it is not possible to present a formal resolution to this effect, but that it is entirely appropriate for the faculty assembled at today’s meeting to recognize President Burnett’s “contributions and leadership as the Dean of the College of Law before assuming the presidency” and as previously noted by Chair Hartzell, President Burnett has “improved the morale of faculty, staff and students; turned the university in a positive direction; and laid the foundation for the next president to arrive in the spring.” In the absence of a motion, Professor Bird wished to
personally express his appreciation for President Burnett’s leadership at the University of Idaho during the past seven months. Professor Bird then invited his colleagues to show their agreement with a hearty round of applause. With one accord the assembly stood and gave President Burnett a heartfelt and richly-deserved standing ovation. President Burnett modestly thanked the assemblage as he evoked the memories of previous generations, including the “greatest generation.” President Burnett continued with deep emotion by observing that those of us who have dedicated our lives to higher education know that there is greatness in every generation and our work is to summon forth the greatness of each generation – and that there is no university where this spirit abides with greater vigor than at Idaho’s national, land-grant, comprehensive, founding, constitutional and therefore, flagship, University of Idaho. Once again, all present showed their great gratitude for University of Idaho President Don Burnett with a very warm round of applause.

Adjournment: Meeting adjourned at 3:50pm.

Respectfully submitted,

Gail Z. Eckwright
Faculty Secretary
POLICY COVER SHEET
(See Faculty Staff Handbook 1460 for instructions.)
[1/08]

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

Chapter & Title: FSH 2300 – Student Code of Conduct

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

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

Originator(s): Dean of Students July/August 2013

(See please FSH 1460 C)

Name Date

Policy Sponsor: (If different than originator.) UJC Sub-Committee – Steven R. Shook

March 2014

Telephone & Email: 208-885-6802  shook@uidaho.edu

Reviewed by General Counsel  _ X_ Yes ____No Name & Date: _______G.

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

On September 24, 2013, the Office of the Dean of Students (DOS) presented to Faculty Senate a proposed Student Code of Conduct (SCC) to replace the current SCC published in the Faculty-Staff Handbook (FSH 2100, 2200, 2300, 2350, 2400, and 2450).

Faculty Senate referred the DOS proposal to the University Judicial Council (UJC) and charged UJC “with making its own suggestion for revision of the SCC and related documents including such portions of the DOS draft as the committee shall find useful.” Faculty Senate also recommended that UJC work in consultation with the DOS and the Office of General Counsel so as to develop a unified code. This document, FSH 2300 (Student Code of Conduct), represents a revision of the current SCC.

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

A thorough revision of FSH 2300 was deemed necessary since the SCC had not been completely examined and revised in over forty years and contained numerous inconsistencies with other portions of the FSH dealing with student conduct, as well as ambiguous language. Furthermore, the language of the current SCC was written in a legalistic (i.e., court of law) format rather than student conduct format, which was determined to be inconsistent with the intent of a SCC.

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

IV. **Related Policies/Procedures:** Describe other policies or procedures existing that are related or similar to this proposed change. FSH 2100, 2200, 2305, 2350, 2400, and 2450

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

PREAMBLE. The university disciplinary system is part of the educational process of students focusing on behavior within a community. Sanctions are imposed for violations to the Student Code of Conduct to teach students how to be better and more responsible members of a community. Sanctions also serve to protect the UI community. The Student Code of Conduct is UI’s manifestation of Section III, P-12, of the State Board of Education’s Governing Policies and Procedures which states: ‘Each institution will establish and publish a statement of student rights and a code of conduct. The code of student conduct must include procedures by which a student charged with violating the code receives reasonable notice of the charge and is given an opportunity to be heard and to present testimony in his or her defense. Such statements of rights and codes of conduct, and any subsequent amendments, are subject to review and approval by the chief executive officer.’ The original of this code was created during the 1969-1970 school year. It was amended, at the suggestion of an ad hoc Faculty Senate committee in July 1992, July 1993, July 1998 (Article II, Section 2), and July 2005 (Article II, Section 2). Unless otherwise noted, the text is as of July 1996. For further information, contact the Dean of Students (208-885-6757). [rev. 7-98, 7-05, ed. 7-09]

ARTICLE I—INTRODUCTION.

The University of Idaho is committed to creating and maintaining a productive living-and-learning community that fosters the intellectual, personal, cultural and ethical development of its students. Self-discipline and respect for the rights and privileges of others are essential to the educational process and to good citizenship.

A. Definitions:

A-1. Consent: as used in this code, is informed, freely given, and mutually understood. Consent requires an affirmative act or statement by each participant. If coercion, intimidation, threats and/or physical force are used, there is no consent. If a person is mentally or physically incapacitated or impaired so that the person cannot understand the fact, nature or extent of the sexual situation, there is no consent; this includes conditions due to alcohol or drug consumption or being asleep or unconscious. Whether one has taken advantage of a position of influence over another may be a factor in determining consent. Consent to any one form of sexual activity does not imply consent to any other form of sexual activity.

A-2. DOS: the Office of the Dean of Students, which is responsible for the administration of the Student Code of Conduct, and includes the Dean of Students and his/her designees.

A-3. Disciplinary action: any sanction imposed for misconduct pursuant to FSH 2400.

A-4. Educational Setting: refers to all the academic, educational, extracurricular, athletic and other programs of the University of Idaho, whether those programs take place in a University facility, at a University class or training program, or elsewhere.

A-5. Policy: the written regulations of the University as found in, but not limited to, the Student Code of Conduct, Residence Hall Handbook, the Apartment Handbook, the University web pages and computer use policy, and Graduate/Undergraduate Catalogs.

A-6. Student: includes all persons admitted to the University, either full-time or part-time, to
pursue undergraduate, graduate, or professional studies, and includes non-degree seeking students. The following persons are also considered “students”:

a. Persons who withdraw after allegedly violating the Student Code of Conduct;
b. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the University;
c. Individuals participating in the American Language and Culture Program; and
d. Individuals participating in Independent Study of Idaho sponsored by the University of Idaho or taught by a University of Idaho instructor.

A-7. Student Code of Conduct: herein referred to as “Code”.

A-8. University Official: includes any person employed or contracted by the University performing assigned duties.

B. Standards of Behavior. Attendance at the University of Idaho is optional and voluntary. When students enroll at the University, they voluntarily accept obligations of performance and behavior that are consistent with the University’s lawful mission, processes, and functions. In general, these obligations are considered much higher than the obligations imposed by civil and criminal law for all citizens.

By enrolling at the University of Idaho, students voluntarily accept responsibility for compliance with all University policies, including but not limited to this Code. Disciplinary action may also be taken for any violation of local ordinances, state or federal law, or on or off campus conduct that adversely affects the University community or the pursuit of the University’s lawful educational mission, process, or function. The University reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus community.

C. Purpose of the Code. The purpose of the Code is to educate students about their civic and social responsibilities as members of the University community. The primary focus of the disciplinary process is on educational and corrective outcomes; however, sanctions such as suspension or expulsion from the University may be necessary to uphold community standards and to protect the campus community. Extensive, organized, serious, or repeated violations of this Code are taken into account when determining sanctions.

D. Interpretation and Revision. Any question of interpretation regarding the Code shall be determined at the discretion of DOS in consultation with General Counsel. The Code shall be reviewed periodically under the direction of DOS.

E. Affirmative Action and Equal Opportunity. Please refer to FSH 3060 and 3065 for other relevant policies and procedures.

F. Nondiscrimination. Please refer to FSH 3200, 3210, 3215 for other relevant policies and procedures.

G. Applicability of the University Student Code of Conduct. The Code applies to students pursuant to FSH 2100.

ARTICLE II- PROSCRIBED CONDUCT.

A. Rules and Regulations. The following list describes actions that detract from the effectiveness of a University community and for which students are subject to disciplinary action. Any student found to have committed or to have attempted to commit the following misconduct is subject to the disciplinary process outlined in FSH 2400:
A-1. Academic Dishonesty. Academic honesty and integrity are core values at a university and the faculty finds that even one incident of academic dishonesty may merit expulsion. Instructors and students are jointly responsible for maintaining academic standards and integrity in university courses. In addition to any disciplinary sanctions imposed under the Code, additional consequences for academic dishonesty may be imposed by the course instructor, including issuing a grade of “F” in the course. Any grade issued by the course instructor, whether as a result of academic dishonesty or not, constitutes an academic evaluation and is not disciplinary action. All instructors must report incidents of academic dishonesty to DOS by email or using the reporting form on DOS website. Acts of academic dishonesty include but are not limited to the following:

a. Cheating includes, but is not limited to, the following:
   (1) using any unauthorized assistance in, or having unauthorized materials while, taking quizzes, tests, examinations or other assignments, including copying from another’s quiz, test, examination, or other assignment or allowing another to copy from one’s own quiz, test, examination, or other assignment;
   (2) using sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments;
   (3) acquiring, without permission, tests or other academic material belonging to the instructor or another member of the University faculty or staff;
   (4) engaging in any behavior prohibited by the instructor in the course syllabus or in class discussion; or
   (5) engaging in other behavior that a reasonable person would consider to be cheating.

b. Plagiarism includes, but is not limited to, the following:
   (1) using, by paraphrase or direct quotation, the published or unpublished work of another person without full and clear acknowledgment;
   (2) using materials prepared by another person or agency engaged in the selling of term papers or other academic materials without prior authorization by the instructor; or
   (3) engaging in other behavior that a reasonable person would consider plagiarism.

c. Furnishing false information or false representations to any University official, instructor, or office. Submission of false information or withholding information at the time of admission or readmission may make an individual ineligible for admission to, or continuation at, the University.

d. Forging, altering, reproducing, removing, destroying, or misusing any University document, record, or instrument of identification.

e. Violating any provision of university policy regarding intellectual property and research. All data acquired through participation in University research programs is the property of the University and must be provided to the principal investigator. In addition, collaboration with the Office of Research and Economic Development for the assignment of rights, title, and interest in patentable inventions resulting from the research is also required [see Faculty-Staff Handbook 5400.]

A-2. Misuse of University Resources or Property, or Personal Property of others.
a. Theft or other abuse of University computer facilities or resources. This includes, but is not limited to, any of the following:
   (1) Unauthorized entry into, or transfer of, a file;
   (2) Using another individual’s identification and/or password;
   (3) Using computer facilities or resources:
      (i) to interfere with the work of another student, faculty member or University official,
      (ii) to send obscene or abusive messages,
      (iii) to interfere with the normal operation of the University computing system or resources, or
      (iv) in violation of copyright laws.
   (4) Any violation of the University Computer Use Policy.

b. Attempted or actual theft of or damage to property of the University or of another person.

c. Unauthorized possession, duplication or use of University keys, computers, lock combinations or other access codes or passwords that can be used to access University property or facilities.

d. Unauthorized entry into or use of any University building, facility, vehicle, equipment room or area, including, but not limited to, unauthorized entry into any private office or space of a member of the faculty, staff, or student body, heating tunnels, elevator shafts, shops, mechanical rooms, trunk rooms, storerooms, roofs, fire escapes, and other restricted areas identified in APM 35.35.E.

e. Building or setting fire(s) without proper authorization as required by APM 35.25.

f. Removing or otherwise tampering with fire equipment or fire-alarm systems, or failure to promptly vacate building(s) when a fire alarm sounds.

g. Possessing or using firearms, explosives, other weapons, projectile or explosive devices, explosive substances, or dangerous chemicals in violation of APM 35.35 H.

A-3. Threat of Harm or Actual Harm to a Person’s Physical or Mental Health or Safety. Living together in a University community requires respect for the rights of fellow members of that community to pursue their academic goals and to participate in lawful campus or University activities. As in any community, certain forms of responsible conduct must be adhered to in order to ensure the physical functioning and safety or security of that community.

a. Physical violence of any nature against any person, on or off campus. Physical violence includes, but is not limited to, (i) fighting; (ii) assault; (iii) battery; (iv) the use of a knife, gun, or other weapon except in reasonable self-defense; (v) physical abuse; (vi) restraining or transporting someone against his/her will; or (vii) any action that threatens or endangers the physical health or safety of any person or causes reasonable apprehension of such harm.

b. Persistent or severe, verbal abuse, threats, intimidation, harassment, coercion, bullying, derogatory comments, vandalism, or other conduct that threatens or endangers the mental or physical health or safety of any person or causes
reasonable apprehension of such harm. A single instance may be considered severe enough to merit sanctions.

c. Hazing, which includes, but is not limited to, any action or participation in any activity that (i) causes or intends to cause physical or mental discomfort or distress, (ii) may demean any person, regardless of location, intent or consent of participants, or (iii) destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in, a group or organization. The express or implied consent of the victim will not be a defense. Apathy or acquiescence in the presence of acts are not neutral acts; they are also violations of this rule.

d. Sexual misconduct, which is a broad term encompassing any non-consensual contact of a sexual nature (see Article I, Section A-1, for the definition of consent). Sexual misconduct may vary in severity, and consists of a range of behavior or attempted behavior including, but not limited to, the following examples of prohibited conduct (see APM 95.20 for more information about resources available and procedures for responding to sexual misconduct):

(1) Unwelcome sexual conduct. This includes, but is not limited to,
   (i) touching an unwilling or non-consensual person’s intimate parts (such as genitalia, groin, breast, buttocks, mouth, or clothing covering the same);
   (ii) touching an unwilling or non-consensual person with one’s own intimate parts;
   (iii) forcing an unwilling or non-consensual person to touch another’s intimate parts;
   (iv) indecent exposure, which includes, but is not limited to, exposing one’s own intimate parts to an unwilling or non-consensual person; and
   (v) voyeurism, which includes, but is not limited to, any unauthorized use of electronic or other devices to make an audio, video, or photographic record of another person without his/her prior knowledge and without his/her prior consent when such a recording is likely to cause injury or distress to the other person, or involves the other person’s intimate parts or sexual conduct.

(2) Sexual violence, which refers to physical sexual acts perpetrated against another person’s will or where another person is incapable of giving consent or is incapacitated. This includes, but is not limited to,
   (i) rape, which includes, but is not limited to, the unwilling or non-consensual penetration of another person’s bodily opening with any object or body part that is committed either by force, threat, intimidation, or through exploitation of another person’s mental or physical condition (such as intoxication, age, or disability) of which the assailant was aware or should have been aware;
   (ii) sexual assault, which is the unwilling or non-consensual penetration of any bodily opening of another person with any object or body part;
   (iii) sexual battery; and  
   (iv) sexual coercion.

All acts of sexual violence are also forms of sexual harassment.

e. Sexual harassment, which is defined as unwelcome conduct of a sexual nature (see FSH 3205 for the requirements of the consensual relationship policy). It includes, but is not limited to, unwelcome sexual advances, requests for sexual
favors, and other verbal, nonverbal, or physical conduct or communication of a sexual nature when:

1. Submission to or rejection of such conduct or communication is a term or condition of educational benefits, employment, academic evaluations, or other opportunities;
2. Submission to such conduct or communication has the purpose or effect of substantially interfering with a student’s education;
3. Such conduct is sufficiently severe or pervasive as to have the effect of creating an intimidating, hostile or offensive educational environment or negatively affecting a student’s educational opportunities. A single instance may be considered severe enough to merit sanctions.

f. Gender-based and sexual orientation harassment (see FSH 3215), which is defined as any act of verbal, non-verbal, or physical aggression, intimidation, or hostility based on sex, sex-stereotyping, gender, or gender-stereotyping, even if those acts do not involve conduct of a sexual nature.

g. Stalking, which includes, but is not limited to, the persistent, severe, or pervasive harassment of another person in a manner that would cause a reasonable person to feel frightened, intimidated, threatened, harassed, or molested. This may include, but is not limited to, repeatedly contacting another person through any means (such as in person or by phone, electronic means, text messaging, etc.), following another person, or having others contact or follow another person on your behalf. A single instance may be considered severe enough to merit sanctions.


a. Discrimination, which includes conduct that violates the Board of Regent’s or the University’s nondiscrimination and antidiscrimination policies contained in FSH 3200, 3210, 3215.

b. Retaliation, which includes conduct that intimidates, interferes with, threatens, coerces, or otherwise discriminates against any individual because that individual opposes or reports a perceived wrongdoing, inequity, or violation of law or University policy, files a complaint alleging illegal or prohibited discrimination, participates in a grievance or appeals procedure, or participates in dispute resolution.

A-5. Disruption, Obstruction, or Interference with Normal University Activities.
Members of the University community have the right to a campus that is free from unreasonable disruption, obstruction, or interference.

a. Disrupting or obstructing normal University activities, including, but not limited to, all academic activities, University facilities or resources, disciplinary proceedings, University administration, and fire, police, or emergency services.

b. Classroom disruption, which is behavior that a reasonable person would view as significantly or repeatedly interfering with the instructor’s ability to teach the class or the ability of other students to benefit from the instructional program.

c. Failure to comply with directions of University, law enforcement, fire department, or other government officials acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
d. Obstruction of the free flow of pedestrian or vehicular traffic on campus.

e. Disorderly conduct, which is behavior that is disorderly, lewd, indecent, or a breach of peace.

f. Abuse of the student conduct system, which includes, but is not limited to, any of the following:
   (1) Failure to cooperate with DOS’s investigation, except when doing so would require the student to speak against him/herself, where the student failed to notify DOS that the student will not cooperate for this reason;
   (2) Falsifying, distorting, or misrepresenting information provided to DOS;
   (3) Disrupting or interfering with DOS’s investigation;
   (4) Making false allegations;
   (5) Attempting to discourage an individual’s proper participation in, or use of, the student conduct system;
   (6) Harassment (verbal or physical) or intimidation of any person participating in DOS’s investigation prior to, during, or after the investigation concludes;
   (7) Failure to comply with the sanction(s) imposed pursuant to FSH 2400.

g. Influencing or attempting to influence another person to commit any violation of the Code.

h. Failure to appear or refusal to speak as a witness, which occurs when a student fails to appear or refuses to speak as a witness at a disciplinary proceeding or review, unless such act would require the student to speak against him/herself, and fails to promptly notify the chair of SDRB that the student will not appear or speak for this reason.

A-6. Housing and Living Groups. Violations of any rules imposed by University Housing or living groups are also violations of the Code.


a. Smoking in violation of APM 35.28.

b. Using, possessing, manufacturing, cultivating, selling, or distributing any state or federally controlled drug, substance, or paraphernalia, including, but not limited to, marijuana, heroin, narcotics, or other controlled substances, in violation of any applicable law or University policy. Inhaling or ingesting any substance (e.g., nitrous oxide, glue, paint, etc.) that is intended to alter a student’s mental state without a prescription is also prohibited. See the University’s Drug and Alcohol Abuse Prevention and Education publication (available through the Office of the Dean of Students) for more information.

c. Consuming, possessing, manufacturing, or distributing alcoholic beverages in violation of any applicable law or University policy (see APM 80.01 for alcohol permit requirements). Alcoholic beverages may not, in any circumstance, be consumed or possessed by, or distributed to, any person under twenty-one (21) years of age. Except at permitted events pursuant to APM 80.01, alcoholic beverages may not be possessed or consumed by any student under any circumstances on campus in areas open to the general public, which areas include, but are not limited to, lounges, student union buildings, recreation
rooms, conference rooms, athletic facilities, and other public areas of University-owned buildings or grounds.

d. Public intoxication.

A-8. Violation of Laws or University Policy.

a. Any violation of federal law, state law, or local ordinance occurring on campus or on any University property is a violation of the Code.

b. Any violation of University policy is a violation of the Code.

B. Violation of Law and University Discipline.

B-1. University disciplinary action may be instituted against a student accused of conduct that potentially violates both the criminal law and this Code independent of the status of any civil or criminal litigation in court or criminal arrest and prosecution. When allegations include sexual harassment, sexual violence, sexual orientation, or gender-based harassment, University disciplinary action will be carried out promptly. Determinations made or sanctions imposed under this Code shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of University rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

B-2. When a student is charged by federal, state, or local authorities with a violation of law, the University will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense also gives rise to University disciplinary action, the University may advise off-campus authorities of the existence of the Code and of how such matters are typically handled within the University community. The University will attempt to cooperate with law enforcement and other agencies in the enforcement of criminal law and in the conditions imposed by criminal courts for the rehabilitation of student violators provided that the conditions do not conflict with University policies or sanctions. Individual students and other members of the University community, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.
STUDENT CODE OF CONDUCT

PREAMBLE. The university disciplinary system is part of the educational process of students focusing on behavior within a community. Sanctions are imposed for violations to the Student Code of Conduct to teach students how to be better and more responsible members of a community. Sanctions also serve to protect the UI community. The Student Code of Conduct is UI’s manifestation of Section III, P-12, of the State Board of Education’s Governing Policies and Procedures which states: ‘Each institution will establish and publish a statement of student rights and a code of conduct. The code of student conduct must include procedures by which a student charged with violating the code receives reasonable notice of the charge and is given an opportunity to be heard and to present testimony in his or her defense. Such statements of rights and codes of conduct, and any subsequent amendments, are subject to review and approval by the chief executive officer.’ The original of this code was created during the 1969-1970 school year. It was amended, at the suggestion of an ad hoc Faculty Senate committee in July 1992, July 1993, July 1998 (Article II), and July 2005 (Article II, Section 2). Unless otherwise noted, the text is as of July 1996. For further information, contact the Dean of Students (208-885-6757). [rev. 7-98, 7-05, ed. 7-09]

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Appendix to the Student Code of Conduct

ARTICLE I--SCOPE OF THE CODE.

1. This document is a codification of disciplinary regulations enacted to govern the conduct of students on campus or at authorized UI activities in accordance with FSH 2100. Disciplinary regulations govern the conduct of students on campus and/or at authorized UI activities [see 2200, Section III]. The inclusion of, or failure to include, regulations herein pertaining to academic matters or to motor vehicles shall not affect any regulation, or the enforcement of any regulation, now or hereafter enacted by UI or any college or department thereof pertaining to academic matters or to motor vehicles.

2. Concurrent Jurisdiction.

a. Acts in violation of federal, state, or municipal laws come under the jurisdiction of UI only when they are also in violation of this code.

b. When Dean of Students (hereafter DOS) is informed that criminal charges are being brought against a student for conduct that also violates the Student Code of Conduct, DOS may file disciplinary charges against a student and investigate the incident. DOS has discretion to wait a reasonable period of time before requesting a hearing or final resolution of the disciplinary charges if it is in the best interest of the university disciplinary process to await the outcome of the criminal charges. [ed. 8-07]

Commented [TA(1)]: The below comments are cross references where the current policy has been covered in the new proposed Code version using the DOS version or if a portion went to the new disciplinary/judicial process e.g. X and XI are now in FSH 2400 (or earlier placeholder # as FSH2305). Wherever DOS is noted, reflects the clean version labeled as FS-14-001rev-2014_2300-StudentCode-DOS-clean.

This document is solely for cross-referencing purposes and to be used to ensure policy language was not inadvertently left out and for historical purposes to track changes made.
3. Definitions:

   a. Disciplinary action: the process undertaken to resolve allegations of violations of the Student Code of Conduct.

   Incapacitation: a state where a person cannot make rational, reasonable decisions because he or she lacks the capacity to give knowing consent (i.e., having the capacity to consent means understanding the who, what, when, where, and how of a sexual interaction).

   Knowingly. As used in this code, the terms “knowledge” and “knowingly,” when referring to causing consequences, means that the person is aware that his or her conduct will probably cause the consequence described in the code.

   Student. Student as used in this code means:
   
   1. all persons taking UI courses, both full-time and part-time and/or
   2. all persons who are not officially enrolled for a particular term but have a continuing relationship with UI or intend to enroll in the next semester. [This provision is intended to include within the definition of students, those persons enrolled in the spring and fall semesters who engage in misconduct during the summer and students who are first time enrollees who engage in misconduct prior to the time of enrollment.]

   Policy: the written regulations of the University as found in, but not limited to, the Student Code of Conduct, Residence Hall Handbook, the Apartment Handbook, the University web pages and computer use policy, and Graduate/Undergraduate Catalogs.

   University official: includes any person employed or contracted by the University, performing assigned administrative or professional responsibilities.

   University Premises: Campus. Campus means:
   
   1. all land, buildings, facilities, and other property -- including adjacent streets and sidewalks -- in the possession of or owned, used, or controlled by UI,
   2. all land, buildings, facilities, and other property (including adjacent streets and sidewalks) used as residences in the possession of or owned, used, or controlled by (i) the University, and (ii) student groups or organizations/associations recognized by UI.

ARTICLE II--ACADEMIC HONESTY. [section renumbered 8-07]

1. Cheating on classroom or outside assignments, examinations, or tests is a violation of this code.
2. Plagiarism, falsification of academic records, and the acquisition or use of test materials without faculty authorization are considered forms of academic dishonesty and, as such, are violations of this code.

3. Because academic honesty and integrity are core values at a university, the faculty finds that even one incident of academic dishonesty seriously and critically endangers the essential operation of the university and may merit expulsion. [rev. 7-98]

4. The operation of UI requires the accuracy and protection of its records and documents. To use, make, forge, print, reproduce, copy, alter, remove, or destroy any record, document, or identification used or maintained by UI violates this code when done with intent to defraud or misinform.

5. All data acquired through participation in UniversityUI research programs is the property of the University and must be provided to the principal investigator. In addition, collaboration with the University Office of Research and Economic DevelopmentOffice for the assignment of rights, title, and interest in patentable inventions resulting from the research is also required [see FSH 5400 A through E].

6. Entrance without proper authority into any private office or space of a member of the faculty, staff, or student body is a violation of this code.

7. It is also a violation to “hack” or make unauthorized use of any computer or information system maintained by the university or a member of the faculty, staff, or student body. [rev. 7-05]

8. Instructors and students are responsible for maintaining academic standards and integrity in their classes. Consequences for academic dishonesty may be imposed by the course instructor. Such consequences may include but cannot exceed a grade of ‘F’ in the course. The instructor should attempt to notify the student of the suspected academic dishonesty and give the student an opportunity to respond. The notice and the opportunity may be informal and need not be in writing. Penalties for any disciplinary infraction must be judicially imposed. [See 1640.02 C-5] [rev. 7-98]

9. Instructors may report incidents of academic dishonesty to the dean of students. Upon receiving such a report, the dean of students shall provide the student with written notice that a report has been made and an opportunity to meet with the dean to discuss the report. The dean of students shall maintain the report and any record of the meeting for a period of time deemed appropriate by the dean. The dean of students may file a complaint against the student after the meeting has taken place or the student has elected, either affirmatively or through inaction, not to meet with the dean. [add. 7-98]

ARTICLE III--PHYSICAL ABUSE, HAZING, OR HARASSMENT. [section
renumbered 8-07]

1. Living together in a university community requires respect for the rights of fellow members of that community to pursue their academic goals and to participate in lawful campus or UI activities.

2. Harassment,

3. Hazing,
4. Detention;
5. Threats;
6. Intimidation;
7. Coercion;
8. Physical abuse; or
9. Similar actions, undertaken knowingly, are violations of this code.

ARTICLE IV--CAMPUS DISORDERS AND DISRUPTION.

1. Members of the UI community have the right to lawful freedom of movement on campus; to lawful use of property, facilities, or parts of UI, and to lawful ingress to and egress from the institution’s physical facilities. It is a violation of this code to violate the above rights of the university community by:
   a. knowingly hindering entrance to, exit from, or normal use of any UI facility or part thereof;
   b. remaining in any UI building or failing to disperse from a crowd or group after being advised by any law enforcement personnel or UI official to leave or disperse (see Appendix, paragraph 5);
   c. knowingly creating noise, including the use of noisemaking or amplifying devices, which interferes with the academic process or violates another person’s privacy;
   d. knowingly interfering with reasonable use of UI driveways, parking lots, or sidewalks;
   e. knowingly interfering with events on property owned or controlled by UI or in UI facilities;
   f. knowingly interfering with law enforcement personnel, public safety personnel, or UI officials in the lawful conduct of their duties; or
   g. knowingly obstructing or disrupting teaching, research, or other academic activities.

[Idaho Code 33-3715 and 33-3716, though not part of this code, are appended for information.]

ARTICLE V--HOUSING AND LIVING GROUPS.

1. The internal regulation of residence halls shall primarily be the responsibility of the individual living-group organization. Such regulations must conform to the Statement of Student Rights; violations of those regulations may also be violations of this code.

2. Living groups may also set internal regulations governing hours and areas of public access provided that such regulations do not condone the violation of a student’s right to privacy in his or her own rented space.

3. UI dwellings are regulated only by this code and the housing contract. Provisions of the housing contract may not violate the Statement of Student Rights or the stipulations of this code. [It must be recognized, nonetheless, that UI dwellings are also regulated by applicable municipal, state, and federal laws and regulations.]

4. Sanctions available to the living groups range from warning through probation. In addition, fines not in excess of $200 and/or restitution for damage or loss may be levied. Sanctions affecting the student’s residence in UI housing may also be imposed as outlined in Article XI.
ARTICLE VI--PHYSICAL SAFETY AND WELFARE. [section renumbered 8-07]

1. As in any community, certain forms of responsible conduct must be adhered to in order to ensure the physical functioning and safety or security of that community.

2. The need to safeguard the property of the university community requires that it is a violation of this code to engage in the unauthorized entry or unauthorized attempted entry into or on any facility or area on campus, including but not limited to heating tunnels, elevator shafts, shops, mechanical rooms, trunk rooms, storerooms, roofs, and fire escapes.

3. Possessing, giving to another, making, or causing to be made any key or other access device to UI property or facilities without proper authorization is a violation of this code.

4. Theft or misappropriation of UI property and theft or misappropriation of the private property of any person occurring on campus are violations of this code.

5. Knowingly damaging, destroying, or defacing UI property or property that is owned by others and located on campus are violations of this code.

6. Protecting the university community against fire is a major concern. Smoking is prohibited in all university buildings except full-time residential facilities. It is also prohibited in official meetings and hearings of UI units and bodies. [For details of the UI policy on smoking, see Section 6380 of the Faculty-Staff Handbook.]

7. Building or setting fires on University premises property owned or controlled by UI without proper authorization, are a violation of this code.

8. Removing or otherwise tampering with fire equipment or fire-alarm systems, or failure to vacate buildings promptly when fire alarms sound are violations of this code.

9. Firearms also may endanger the safety of the university community when improperly handled. “Firearms” as used in the code means any instrument used in the propulsion of shot, shell, or bullet, or other harmful objects by the action of gunpowder exploded within it, by the action of compressed air within it, by the power of springs and including what are commonly known as air rifles, BB guns, and pellet guns.

10. No firearm may be brought onto campus unless it is encased and has a trigger lock attached. (“Encased” is defined as placing a gun with a trigger lock in some sort of container--hard or soft, and including, but not limited to, such materials as aluminum, plastic, wood, leather, and cloth--that is fastened by means of a snap lock, zipper, tie, etc.).

11. In UI residence halls firearms must be kept in an area authorized by the Housing Office.

12. Loaded guns are not permitted on campus. A “loaded gun” is defined as one containing live ammunition either in the chamber or in the magazine. Possession and storage of gunpowder must comply with federal, state, and municipal laws. No ammunition will be allowed on campus except that designated for firearms that are properly stored on campus.

13. Other explosive substances are also prohibited on campus, except as approved by the safety officer. Exceptions to the above may be made for supervised UI courses.

14. Unauthorized uses of dangerous projectile or explosive devices, including but not limited to sling shots, crossbows, catapults, and devices which cause dangerous chemical reactions,
are violations of this code.

15. It is a violation of this code to:
   a. knowingly gain unauthorized access to computer-based information or information resources;
   b. knowingly, without authorization, destroy, alter, dismantle, disfigure, prevent rightful access to, or otherwise interfere with computer-based information or information resources; or
   c. knowingly invade, without authorization, the privacy of individuals or entities that are creators, authors, users, or subjects of the information resources.

ARTICLE VII--DISCRIMINATION.

1. Any violation of the basic rights of a human being is contrary to the very nature of a university. The regents' antidiscrimination policy is as follows:
   a. Practices or regulations that discriminate on the basis of race, color, national origin, religion, sex, age, disability, or status as a Vietnam-era veteran, as each of these bases is defined by law, are neither condoned nor permitted in any area of UI operations, including personnel appointments, student admissions, housing assignments, use of dining halls, classrooms, or other facilities, or in any activities of the faculty, staff, or students that may be commonly regarded as sponsored or sanctioned by UI.
   b. Nothing herein shall be deemed to affect the classification of persons based on the differences between males and females or between other classes or groups that is not irrational, capricious, or arbitrary, and that is intended to accomplish a lawful purpose (e.g., women’s or men’s living groups may exclude persons of the opposite sex, and students with substandard grades may be denied membership in honor societies and other groups having minimum grade requirements).

2. Any student conduct that violates this policy shall, upon due proof, be a violation of this code.

ARTICLE VIII--DRUGS AND ALCOHOL. [section renumbered 8-07]

4. The sale, use, or possession of illegal drugs is a violation of this code.

2. Sale or illegal possession or illegal consumption of alcoholic beverages is prohibited in facilities owned, leased, or operated by UI and on campus grounds.

4. Alcoholic beverages may not be possessed or consumed under any circumstances in areas open to and most commonly used by the general public. These areas include, but are not limited to, lounges, student union buildings, recreation rooms, conference rooms, athletic facilities, and other public areas of UI-owned buildings or grounds.

4. UI’s primary role in handling matters involving the use or potential use of drugs or alcohol by its students is that of counseling. However, in appropriate situations, the full range of sanctions may be applied.

ARTICLE IX--AIDING, SOLICITATION AND ATTEMPT.

A person is in violation of this code if he or she:
1. intentionally aids or abets another in the commission of any offense(s) mentioned in this code;

2. requests, hires, encourages, or otherwise solicits another person to commit any offense mentioned in this code, either intending that the other person commit the offense or with the knowledge that the other person intends to commit the offense; or

3. attempts to commit any offense mentioned in this code.

ARTICLE X -- JUDICIAL PROCEEDINGS.

1. Any member of the university community may file a complaint against any student for misconduct. Such complaints shall be prepared in writing and directed to the office of Dean of Students (DOS). Any complaint should be submitted as soon as possible after discovery of the alleged misconduct, preferably within thirty days. DOS may investigate to determine if the complaint has merit. [ed. 8-07]

2. DOS, or its representatives, may file charges on behalf of the university against a student accused of violating the Student Code of Conduct. In no event shall DOS file charges more than one year after DOS has discovered the alleged misconduct, although the summons can be served after the one year period if the charges were filed within the one year period. [ed. 8-07]

3. All charges, including amended charges, shall be presented to the accused student in writing. The accused student shall be deemed to have been “notified” of the charges, amended charges, notice of the hearing date and any changes in the hearing date, by any of the following methods:
   a. hand-delivered notice; or
   b. proof of the mailing of a certified, registered letter containing such information, sent to either the campus address or the home address that the student provided the university registrar in the student’s registration documents, or
   c. if receipt for the certified, registered letter is not returned with a signature within three weeks, then the accused student may be notified by proof of the mailing of a certified, nonregistered letter to the student’s campus or home address; and the hearing date shall be set not less than five nor more than fifteen calendar days after the last date that the postal service attempted to deliver the certified, nonregistered letter.

4. A disciplinary hearing may be waived and informal disposition of disciplinary action may be made by an agreed settlement, in writing, between the student charged with code violations and the dean for Dean of Students or the dean’s designee. The sanctions imposed in the agreed settlement will be effective upon signature of the parties, do not depend upon the approval of the UJCSCRB, and shall have full force and effect as if the sanctions had been imposed by the UJCSCRB. The Dean of Students shall, on a regular basis, inform the UJC of the agreed settlements entered into with students during the academic year. [ed. 8-07]

5. A student suspected of violating this code shall be informed of the right to remain silent. This information shall be provided in the notice of the charges, in any summons, at any meeting with DOS, and at any hearing conducted by the UJCSCRB. [ed. 8-07]

6. The disciplinary hearing shall occur not less than five nor more than fifteen calendar days after the accused student has been notified in writing of all charges, including amended charges. Maximum time limits for scheduling of hearings may be extended at the discretion of the Dean of Students, or the dean’s designee, as long as the hearing will be prompt.
The accused student and DOS may agree to a specific hearing date. The accused student may waive his or her right to a prompt hearing. The accused student may request the chairperson of the UJCSCRB to reschedule the hearings. [ed. 8-07]

7. Hearings shall be conducted in private unless the student charged with the violation states on the record that he or she wishes the disciplinary hearing to be public. The student charged with the violation can request the chairperson of the UJCSCRB to order that the disciplinary hearing be open only to specified members of the public. Otherwise, the only persons permitted to attend the “private” hearing will be the members of the UJCSCRB, the Dean of Students and/or the dean’s designee, the general counsel or the general counsel’s designee, the party bringing the charges against the student, the accused student, the accused student’s advisor, and witnesses. Although the student charged with a violation has the right to a public hearing, the chairperson of the UJCSCRB has the discretion to refuse to admit to the hearing any person whose conduct interferes with the hearing. Any party can request that witnesses be removed from the hearing when they are not giving testimony. In hearings involving more than one accused student, the chairperson of the UJCSCRB has the discretion to permit the hearings concerning each student to be conducted separately. [ed. 8-07, 6-09]

8. The university, if it is filing charges against the student, may be represented by any advisor it chooses. The student charged with the violation has the right to be assisted by any advisor he or she chooses at his or her own expense. The advisor may be an attorney. The advisor will be permitted to speak and to participate directly in the hearing.

9. The accused student, the party filing charges against the accused student, and the UJCSCRB shall have the right to present witnesses and evidence and shall have the right to be present and bear and question adverse witnesses, as well as the right to object to the admission of testimony and evidence.

10. Irrelevant evidence is not admissible. All evidence, pertinent records, exhibits, and written statements, as well as copies or recordings of such evidence, may be accepted as evidence at the discretion of the chairperson of the UJCSCRB. Hearsay evidence is admissible if it is of the type commonly relied upon by prudent persons in the conduct of their affairs.

11. All questions of procedure and evidence are subject to the final decision of the chairperson of the UJCSCRB.

12. Generally, the hearing shall be conducted in the following order:
   a. The chairperson of the UJCSCRB shall determine whether the accused student has requested a public or a private hearing, shall state for the record the names and roles of the persons present at the hearing, and shall remind the accused student of the right to have an advisor, of the right to refuse to testify, and that the refusal to testify shall not be considered as evidence against him or her. [See 2200.]
   b. The party filing charges and the accused student shall have the opportunity to present opening statements in which they summarize the evidence they intend to present to the UJCSCRB.
   c. The party filing charges shall present its evidence first, and the accused student shall have the right to present his or her evidence afterwards.
   d. Following the presentation of evidence the party filing charges shall have the opportunity to summarize the evidence presented. Afterwards, the accused student shall have the opportunity to summarize the evidence presented.
   e. After the presentation of evidence and summaries, the UJCSCRB shall make its decision in a closed session.
13. The UJCSCRB shall determine by majority vote whether the student has violated each section of the Student Code of Conduct which the student is charged with violating. The chairperson of the UJC, or the designee in the event of absence of the chairperson, is permitted to vote only in the event of a tie ballot. The burden of proof shall be upon the party bringing the charges against the accused student. The UJCSCRB’s conclusion shall be made on the basis of whether it is more likely than not that the accused student violated a specific provision or provisions of the Student Code of Conduct.

14. If the UJCSCRB concludes that the accused student did violate a provision or provisions of the Student Code of Conduct, the UJCSCRB must state in writing the facts, conduct, or circumstances it has found to support its conclusion. These “findings of fact” must be based exclusively upon the evidence and testimony properly presented to the UJCSCRB and upon facts that are universally regarded as true. The UJCSCRB shall inform the parties in writing of its “findings of fact,” its conclusion that the student has violated the Student Code of Conduct, and the right of the student to appeal the decision of the UJCSCRB.

15. The UJCSCRB shall maintain a single verbatim record, such as a tape recording, of all hearings. The record shall be the property of the university.

16. The failure of an accused student to appear at a hearing after notification is neither an admission nor evidence as to the charges. No accused student may be found to have violated the Student Code of Conduct solely because the student failed to appear before the UJCSCRB. [Failure to appear after being summoned may be a separate violation of the Student Code of Conduct; see below.] If the accused student fails to appear at the hearing after proper notification, the party filing charges against the accused student shall present the evidence in support of the charges, and the UJCSCRB shall conclude based on the evidence whether it is more likely than not that the accused student had violated the Student Code of Conduct. If the UJCSCRB concludes that the student had violated the Student Code of Conduct, the UJCSCRB shall inform the parties in writing of its conclusion, its “findings of fact,” and the right of the student to appeal the decision of the UJCSCRB.

17. Failure to comply with any procedural rule may render invalid the decision of the UJCSCRB if such failure materially prejudiced the rights of a party.

18. All members of the university community are encouraged to assist the parties and the UJCSCRB in determining whether the accused student violated the Student Code of Conduct. The chairperson of the UJCSCRB, or the chairperson’s designee, shall have the authority to issue a summons commanding a student to appear at a hearing and to testify. Such a summons may be requested by any party to the hearing or by any member of the UJCSCRB. The summons may be served either by hand-delivery or be certified, registered mail sent to the campus or the home address that the student provided to the university registrar. The summons shall inform the student that it is a violation of the Student Code of Conduct to fail to appear or to refuse to testify, unless such testimony would force the student to testify against himself or herself.

19. A violation of this code for a student to fail to appear at a hearing after proper service of a summons to appear. It is also a violation of this code for a student to refuse to give testimony at a hearing after proper service of a summons to appear, unless such testimony would force the student to testify against himself or herself. It is a violation of this code to knowingly disrupt, impede, threaten, or disregard the lawful procedures or sanctions of the UJCSDRB. It is a further violation of this code to knowingly provide false information to the UJCSDRB.

ARTICLE XI--RANGE OF SANCTIONS

Commented [at55]: X 13 & 14 to new Judicial C-5 a

Commented [at57]: In new Judicial C-5 a.

Commented [at58]: In new Judicial C-4 d

Commented [at59]: First sentence moved to C-4 c, remaining moved to C-4 h.

Commented [at60]: In new judicial 2400.

Commented [at61]: In new Judicial C-4 b

Commented [at62]: DOS version Article I, G first sentence. Remaining section is covered under DOS A-5 f.

Commented [TA63]: Moved to New FSH 2305 – as D
1. When the Dean of Students determines it is necessary to stop a violation of the Student Code of Conduct, as permitted under the Statement of Student Rights [2200, Section IV, Para. 1], the Dean of Students (or a designee), with the concurrence of the chair of the UJC, if and when he or she is available, may impose an interim university or residence-hall suspension prior to the hearing before the UJC. [ed. 7-00, 8-07]

   a. Interim suspension may be imposed only to ensure the safety and well-being of members of the university community or preservation of property, to ensure the student’s own physical or emotional safety and well-being, or if the student poses a definite threat of disruption of or interference with the normal operations of the university.

   b. During the interim suspension, the student shall be denied access to the residence halls and/or the campus (including classes) and/or all other university activities or privileges for which the student might otherwise be eligible, as the Dean of Students (or a designee), with the concurrence of the chair of the UJC, if and when he or she is available, may determine to be appropriate. [ed. 8-07]

   c. As soon as is practicable, the student subjected to an interim suspension shall be provided notice of the reasons for the university’s action and shall be accorded the normal procedures of the UJC, including the filing of a complaint and the right to a hearing.

2. Sanctions that may be imposed are listed here in order of their severity:

   a. warning;

   b. probation (with terms and length as determined by the UJCSCRB);

   c. withheld suspension (failure to comply with the terms of probation results in immediate suspension from UI);

   d. suspension (removal from UI for a specific length of time, e.g., semester or academic year);

   e. expulsion (indefinite removal from UI).

3. Before the UJCSCRB may impose a sanction of withheld suspension, suspension, or expulsion, the UJCSCRB must make a specific finding in writing that the student’s misconduct seriously and critically endangered the essential operation of UI or the safety of members of the university community [see 2200, IV-9].

4. In addition to the sanctions enumerated in paragraph 1, the UJCSCRB may impose any combination of the following and may include them as terms of probation:

   a. community service (to be performed for a specified period of time under the direction of the Dean of Students); [ed. 8-07]

   b. restitution of damages;

   c. special sanctions deemed appropriate and reasonable by the UJCSCRB (e.g., counseling, restrictions on behavior, or requiring letters of apology to be written);

   d. administrative fees not exceeding $25.

   e. penalties for disruption of the judicial process range from warning through suspension, depending on the severity of the offense.

5. When appropriate, a student may be given the option of working off the equivalent of restitution for UI at the minimum wage.

6. If sanctions, including community service hours and restitution imposed by the UJCSCRB, have not been completed or if sanctions agreed to by a student in an agreed settlement have

Commented [TA(64)]: 1-4 moved to new FSH 2305 – D-1 a thru l;

Commented [TA(65)]: New judicial E.

Commented [TA(66)]: a,b,c moved to new judicial E-1 through E-3

Commented [TA(67)]: moved to new 2305 D-1 a through l

Commented [TA(68)]: New D-1 i.

Commented [TA(69)]: New D-1 j

Commented [TA(70)]: In new judicial 2400 C-5 & E interim suspension.

Commented [TA(71)]: New Judicial D-2

Commented [TA(72)]: New Judicial D-1 e

Commented [TA(73)]: New Judicial D-1 d

Commented [TA(74)]: New judicial D-1 f - $150 fee now.

Commented [TA(75)]: New Judicial D-1 d.

Commented [TA(76)]: moved to new 2305 D-1 a-l
If not completed, UI, at the discretion of the Dean of Students or the dean's designee, may deny a student the privilege of reregistering, may hold transcripts and/or diplomas, and may refuse to release information based on the student's record. [ed. 8-07]

Sanctions affecting a student's residence in UI-controlled housing may be imposed. These sanctions are loss of privileges within the living group and temporary or permanent removal from UI-controlled housing.

Sanctions already imposed by civil or criminal process are taken into account when any UI sanction is imposed.

Extensive, organized, serious, or repeated violations of this code are taken into account when determining the appropriate sanction.

The Regents of UI adopted guidelines for enforcing campus alcohol regulations which include sanctions for violation of these regulations. Minimum sanctions for violations of Article VIII, Sections 1 and 2 of the Student Code of Conduct are listed below. These sanctions will be minimum standards and more severe sanctions may be applied. [See next page.]

### a. First Infraction

<table>
<thead>
<tr>
<th>Infraction</th>
<th>Sanction</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Open container or minor in possession violations.</td>
<td>1. Referral to judicial council for education programs and payment of administrative costs.</td>
</tr>
<tr>
<td>2. Illegal distribution of alcohol.</td>
<td>2. Referral to judicial council with sanctions to include community service, period of probation, administrative costs, and education programs.</td>
</tr>
</tbody>
</table>

### b. Second Infraction

<table>
<thead>
<tr>
<th>Infraction</th>
<th>Sanction</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Without injury, or without conduct likely to lead to injury.</td>
<td>1. Referral to judicial council or similar authority for action which must include a treatment and/or education program.</td>
</tr>
<tr>
<td>2. With injury, or conduct likely to lead to injury.</td>
<td>2. Referral to the proper administrative body of the institution for action must include notification to the criminal justice system, strict probation, and, a treatment or education program.</td>
</tr>
</tbody>
</table>

### c. Third Infraction

<table>
<thead>
<tr>
<th>Infraction</th>
<th>Sanction</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Without injury, or without conduct likely to lead to injury.</td>
<td>1. Referral to the appropriate administrative body of the institution for appropriate action, which must include, at least, suspension from school for one semester.</td>
</tr>
<tr>
<td>2. With injury, or conduct likely to lead to injury.</td>
<td>2. Referral to the appropriate administrative body of the institution for appropriate action, which must include, at least, referral to the judicial council.</td>
</tr>
</tbody>
</table>
APPENDIX TO THE STUDENT CODE OF CONDUCT

(1) Idaho Code, section 33-3715: “The legislature, in recognition of unlawful campus disorders across the nation which are disruptive of the educational process and dangerous to the health and safety of persons and damaging to public and private property, establishes by this act criminal penalties for conduct declared in this act to be unlawful. However, this act shall not be construed as preventing institutions of higher education from establishing standards of conduct, scholastic and behavioral, reasonably relevant to their lawful missions, process, and functions, and to invoke appropriate discipline for violations of such standards.”

(2) Idaho Code, section 33-3716: “No persons shall, on the campus of any community college, junior college, college, or university in this state, hereinafter referred to as ‘institutions of higher education,’ or at or in any building or other facility owned, operated, or controlled by the governing board of any such institution of higher education, willfully deny to students, school officials, employees, and invitees: (a) lawful freedom of movement on campus; (b) lawful use of property, facilities, or parts of any institution of higher education; or (c) the right of lawful ingress [to] and egress [from] the institution’s physical facilities.

(3) “No person shall, on the campus of any institution of higher education, or at or in any building or other facility owned, operated, or controlled by the governing board of any such institution, willfully impede the staff or faculty of such institution in the lawful performance of their duties, or willfully impede a student of such institution in the lawful pursuit of his educational activities, through the use of restraint, abduction, coercion, or intimidation, or when force and violence are present or threatened.

(4) “No person shall willfully refuse or fail to leave the property of, or any building or other facility owned, operated, or controlled by the governing board of any such institution of higher education upon being requested to do so by the chief administrative officer, his designee charged with maintaining order on the campus and in its facilities, or a dean of such college or university, if such person is committing, threatens to commit, or incites others to commit, any act which would disrupt, impair, interfere with, or obstruct the lawful missions, processes, procedures, or functions of the institution.

(5) “Nothing in this section shall be construed to prevent lawful assembly and peaceful and orderly petition for the redress of grievances, including any labor dispute between the institution of higher education and its employees.

(6) “Any person who violates any of the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed five hundred dollars ($500), or imprisoned in the county jail for a period not to exceed one (1) year, or by both such a fine and imprisonment.”

Commented [TA(82]: Delete should not restate Idaho Code Sections, could reference in the preamble: Idaho codes 33-3715 and 33-3716.
POLICY COVER SHEET
(See Faculty Staff Handbook 1460 for instructions.)

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

Chapter & Title: FSH 2100 – The Student and the University
All policies must be reviewed, approved and returned by a policy sponsor, with a cover sheet attached to apm@uidaho.edu or fsh@uidaho.edu respectively.
*Note: If revision/deletion request original document from apm@uidaho.edu or fsh@uidaho.edu, all changes must be made using “track changes.”

Originator(s): G Costa – General Counsel March 2014
(Please see FSH 1460 C)
Name Date gcosta@uidaho.edu
Telephone & Email: 208-885-6802 shook@uidaho.edu
Policy Sponsor: UJC Sub-Committee – Steven R. Shook March 2014
Name Date
Telephone & Email: X Yes No Name & Date: ______________
Reviewed by General Counsel

I. Policy/Procedure Statement: Briefly explain the purpose of proposed addition, revision, and/or deletion to the Faculty/Staff Handbook or the Administrative Procedures Manual.
A change to include a Statement of Student Values in FSH 2100 has been made at the request of ASUI Senate, as well as minor revisions.

II. Reason/Rationale: Reason this addition, revision, and/or deletion is necessary, if different than above?
A Statement of Student Values was presented in the Spring 2014 ASUI ballot, receiving more than 90% approval among voters. According to a resolution concerning the Statement of Student Values, ASUI believes that it provides a solid foundation for students to unify educational and professional goals while attending the University of Idaho. The resolution requested that Faculty Senate add the Statement of Student Values in the FSH, hence its addition to FSH 2100. Minor revisions were also made to FSH 2100 to improve language, interpretation, and readability.

III. Fiscal Impact: What fiscal impact, if any, will this addition, revision, or deletion have? There is no fiscal impact foreseeable resulting from this revision.

IV. Related Policies/Procedures: Describe other policies or procedures existing that are related or similar to this proposed change. FSH 2200, 2300, 2350, and 2400

V. Effective Date: This policy shall be effective on July 1, or January 1, whichever arrives first after final approval (see FSH 1460 D) unless otherwise specified in the policy.
If not a minor amendment forward to:

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

FSH
Appr. FC FS-14-042
GFM ________________
Pres./Prov. ________________
[Office Use Only]

Track # __UP-14-045__
Date Rec.: __March 2014__
Posted: t-sheet ________________
h/c ________________
web ________________
Register: ________________
(Office Use Only)
THE STUDENT AND THE UNIVERSITY

PREAMBLE: This section deals with certain general topics of interest to UI students. Section A is original to the 1979 Handbook. Section B was added July 1996, B-1-5 revised in July 1998 and in 2006 edited to reflect changes in university committees listed in FSH 1640. In 2009 this section was revised to refer individuals to each respective committee as listed in FSH 1640. For further information, contact the Dean of Students (208-885-6757). [rev. 7-98, 7-06, 2-09]

A. MUTUAL RESPONSIBILITY. By matriculating at the University of Idaho, students voluntarily accept responsibility for compliance with all university policies and as well as local ordinances, state laws, and federal laws. Each student shall be responsible for his/her conduct at all times from the time the university grants admission through the actual awarding of a degree. This includes the period before classes begin or after classes end, and periods between terms of actual enrollment. Conduct that is not discovered until after a degree is awarded is also included. [rev. 1-14]

The university’s part is to carry out its commitment to higher education, to fulfill its responsibilities in pursuit of the academic goals and objectives of all members of the university community, and to meet its obligation to provide an atmosphere in which students will have an opportunity to be heard in matters affecting their welfare. The university reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus community. Students shall have the rights and responsibilities outlined of due process and appeal as described in this policy and in FSH 2200, 2300, 2350, and 2400 and 2450. [rev. 1-14]

B. STATEMENT OF STUDENT VALUES (passed by ASUI Senate in April 2014). The Statement of Student Values is a step toward formally conveying our common University of Idaho educational and community goals. The Statement articulates the community we aspire to be, expresses our shared values, unites us as Vandals, and encourages collaboration with faculty, staff and the administration.

We come together as Vandals, a diverse community embracing individuality and striving for equity. We hold each other accountable to conduct ourselves with integrity and honesty, to foster excellence in education both in and outside the classroom, and to treat each other with respect.

C. JURISDICTION. Disciplinary action may be taken for (1) any violation of local ordinances, state or federal law; (2) on campus conduct that violates the Student Code of Conduct; and (3) off campus conduct that violates the Student Code of Conduct and that adversely affects the university community or the pursuit of the university’s educational mission, process, or function, as determined by the Dean of Students. Students may be subject to civil and criminal penalties in addition to any university sanctions for the same violation. University proceedings may occur before, during, or after any civil or criminal actions are concluded and are not subject to challenge based on the action or inaction of any non-university authorities. [add. 1-14]

D. UI COMMITTEES DEALING WITH STUDENT CONCERNS. The following university-level standing committees (given along with their functions) are of particular interest to UI students. Further information on these committees, along with a full listing of other university-level standing committees, is to be found in Faculty-Staff Handbook section 1640. [ren. 1-14]

D-1. ACADEMIC HEARING BOARD (AHB) [1640.02]
D-2. ACADEMIC PETITIONS COMMITTEE (APC) [1640.04]
CD-3. ADMINISTRATIVE HEARING BOARD (AdHB) [1640.06]
CD-4. ADMISSIONS COMMITTEE [1640.08]
CD-5. AMERICANS WITH DISABILITIES ACT ADVISORY COMMITTEE [1640.10]
CD-6. HONORS PROGRAM COMMITTEE [1640.53] [ed. 6-09]
CD-7. INFORMATION TECHNOLOGY COMMITTEE [1640.55]
CD-8. UBUNTU [1640.58]
CD-9. OFFICER EDUCATION COMMITTEE [1640.64] [see also 1565 F]
CD-10. PARKING COMMITTEE [1640.66]
CD-11. STUDENT DISCIPLINARY REVIEW BOARD (SDRB) [1640.93, 2400 B-2] [ren. 6-09]
CD-12. TEACHER EDUCATION COORDINATING COMMITTEE [1640.86] [see also 4300 E]
CD-13. TEACHING AND ADVISING COMMITTEE [1640.87]
CD-14. UBUNTU [1640.58]
CD-15. UNIVERSITY COMMITTEE FOR GENERAL EDUCATION [1640.89]
CD-16. UNIVERSITY CURRICULUM COMMITTEE [1640.91] [see 1540 B and C, 4110, and 4120] [ren. 6-09]
CD-17. UNIVERSITY JUDICIAL COUNCIL (UJC) [1640.93, 2400 B-2] [ren. 6-09]
POLICY COVER SHEET

Faculty/Staff Handbook [FSH] □ Addition Revision* ☒ Deletion* □ Emergency
Minor Amendment ☐
Chapter & Title: FSH 2200 – Statement of Student Rights

Originator(s): Dean of Students July/August 2013
(please see FSH 1460 C)

TelephoneNumber & Email: 
Policy Sponsor: (If different than originator.) UJC Sub-Committee – Steven R. Shook March 2014

Reviewed by General Counsel Yes No Name & Date: G. Costa

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

On September 24, 2013, the Office of the Dean of Students (DOS) presented to Faculty Senate a proposed Student Code of Conduct (SCC) to replace the current SCC published in the Faculty-Staff Handbook (FSH 2100, 2200, 2300, 2350, 2400, and 2450).

Faculty Senate referred the DOS proposal to the University Judicial Council (UJC) and charged UJC “with making its own suggestion for revision of the SCC and related documents including such portions of the DOS draft as the committee shall find useful.”

Faculty Senate also recommended that UJC work in consultation with the DOS and the Office of General Counsel so as to develop a unified code.

This document, FSH 2200 (Statement of Student Rights), represents a revision of the current FSH 2200 that is consistent with language and processes detailed in placeholder FSH 2350 and the revised FSH 2400.

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

A thorough revision of FSH 2200 was deemed necessary since the SCC had not been completely examined and revised in over forty years and contained numerous inconsistencies with other portions of the FSH dealing with student conduct, as well as ambiguous language. Furthermore, the language of the current SCC was written in a legalistic (i.e., court of law) format rather than student conduct format, which was determined to be inconsistent with the intent of a SCC.

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

IV. Related Policies/Procedures: Describe other policies or procedures existing that are related or similar to this proposed change. FSH 2100, 2300, 2305, 2350, 2400, and 2450

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

If not a minor amendment forward to:

___________________________________________
Track # __ UP-14-034__
Date Rec.:__
Posted: 1-sheet ________
h/c _________
web __________
Register: ______
(Office Use Only)
STATEMENT OF STUDENT RIGHTS

PREAMBLE: The regents recognize that students enjoy the same inalienable rights as other citizens under the constitution and laws of the United States, and have, therefore, adopted the following statement - the purpose of which is to guarantee basic and fundamental rights to UI students. Except for the addition of the second sentence in IV-9, this version is identical to that which appeared in the 1979 Handbook. For purposes of this statement, a “student” is any person who is regularly enrolled in UI as an undergraduate, graduate, law, or nonmatriculated student and who is not a member of the faculty. For further information, contact the Dean of Students (208-885-6757). See also the preamble to 2300.

CONTENTS:

Section I. Freedom of Association
Section II. Freedom of Inquiry and Expression
Section III. Student Conduct
Section III. Disciplinary Regulations
Section IV. Disciplinary Hearings and Procedures
Section V. Protection Against Improper Disclosure
Section VI. Construction and Amendment

SECTION I--FREEDOM OF ASSOCIATION.

1. Students shall be free to organize and join associations to promote their common interests.

2. UI approval shall not be required for the organization of any student association. The operation of such an association is subject to regulations necessary for the orderly scheduling of events, but in no case shall the views or objectives of the association be a basis for exercising these or other regulatory powers. In the event that UI regulations are violated, disciplinary action will be taken only against individual students and not against the association.

3. UI may require student associations to submit a list of officers and objectives, but they shall not otherwise be required to disclose their membership.

SECTION II--FREEDOM OF INQUIRY AND EXPRESSION. [See also 6220.]

1. Students and student associations shall be free to examine and discuss all questions of interest to them and to express their opinions publicly or privately, subject only to civil and criminal law.

2. Students shall be free to support causes by any lawful means.

3. Student associations shall be free to invite and to hear any person at their meetings.

4. All official student communications media shall have the right to establish and maintain internal control of operations and content, free from prior censorship. Only for proper and stated causes will editors and managers be subject to removal, and then only by procedures prescribed at a prior date.

Commented [TA(1)]: All recognized UI organizations need to abide by the UI’s nondiscrimination policy. Furthermore, organizations who want to qualify for partial reimbursement by the Student Activities Office must comply with other rules (have an advisor, have a constitution, etc). The UI has no jurisdiction over unrecognized organizations except by contract.

SECTION III--DISCIPLINARY STUDENT CONDUCT REGULATIONS. [see also FSH
Disciplinary regulations may be enacted only to govern the conduct of students on campus or at authorized UI activities in accordance with FSH 2100. Such disciplinary regulations shall be approved by the faculty and shall be codified and published under the title of a "Student Code of Conduct." (see FSH 2300).

Violations of any rules imposed by University Housing are also violations of the Student Code of Conduct. Internal regulations of UI residence halls need not be included in the "Student Code of Conduct," but shall otherwise conform with the provisions of this section.

No disciplinary regulation shall take effect until after it has been published. No ex post facto regulation shall be enacted.

Students have those rights embodied in the university's nondiscrimination policy FSH 3210. No disciplinary regulation shall discriminate against any student in violation of because of race, color, national origin, religion, sex, sexual orientation, age, veteran status, or disability, nor shall any regulation in any way deny to any student equal protection of the laws (see FSH 3200, 3210, 3215, 3220).

SECTION IV--DISCIPLINARY HEARINGS AND PROCEDURES.

Disciplinary action is defined as any penalty imposed for misconduct pursuant to FSH 2400. (see FSH 2300), including cheating and plagiarism (see FSH 2300).

Disciplinary action, except that action necessary to stop a violation, shall not be taken against any student until it has been determined that a code violation has occurred, except when action is necessary to stop a violation or when the situation merits an interim suspension. His or her guilt has been ascertained at a fair and impartial hearing before a body authorized by the faculty for that purpose. Basic requirements of due process and fair play must be observed. Procedures for review of code violations are described in FSH 2400.

Disciplinary hearings shall be commenced only for alleged violations of regulations that have been properly enacted and that are in force at the time of the violation.

Students who are suspected of violations may be questioned, but they must be informed at the beginning of such questioning of the right to remain silent. No form of coercion or harassment shall be used in questioning.

Neither the premises inhabited by students nor their personal possessions shall be searched or seized in violation of federal or state law.

A disciplinary hearing may be waived and informal disposition of disciplinary action may be made by agreed settlement with the student or an order by the hearing board consented to by the student. If the student pleads guilty or fails to appear after receiving proper notice, an appropriate penalty may be imposed.

Except as provided in paragraph 5, the student charged with the violation shall: (a) be entitled to prompt hearing, (b) be informed in writing of the specific charges for proposed disciplinary action, (c) be given sufficient time to prepare for the hearing, and (d) state in writing whether he or she wishes the disciplinary hearing to be public or private.
During the disciplinary hearing and except as provided in paragraph 5, the student charged with the violation: (a) may be assisted by an adviser of his or her choice, (b) shall be given the opportunity to testify and to present evidence and witnesses on his or her behalf, (c) shall have the opportunity to hear and question adverse witnesses, (d) must have all testimony or evidence introduced in his or her presence unless he or she refuses to appear or fails to appear after having received proper notice, and (e) shall not be forced to testify against himself or herself and his or her refusal to testify shall not be considered as evidence against him or her.

The hearing board: (a) shall disregard any evidence secured by improper questioning or by illegal search and seizure, (b) shall assume the innocence of the student charged with the violation and shall place the burden of proof upon the party seeking disciplinary action, (c) shall base its findings and decision exclusively upon proper evidence and testimony and upon facts that are universally regarded as true (hearing boards should hear evidence on any disputed points; however, the board may itself take notice of facts that everyone agrees are true; for example, evidence does not have to be introduced to show it was dark if the act in question is clearly shown to have occurred at midnight), and (d) must state its findings and its decision in writing.

A student may be expelled or suspended from UI as a penalty for violating disciplinary regulations only if his or her misconduct seriously and critically endangers the essential operation of UI or the safety of members of the university community. By action of the regents, violations of alcohol related disciplinary regulations may lead to suspension or expulsion even without a showing that the misconduct seriously and critically endangers the essential operation of UI or the safety of members of the university community. (See 2300 XI-10.)

No student shall be tried twice for the same offense within the UI system of disciplinary hearings. Except where new material information is discovered, no student shall be brought up on alleged violations of the Student Code of Conduct a second time for the same alleged incident where a previous review/hearing was fully exhausted for the same alleged incident.

Any party to a disciplinary hearing action shall have the right to appeal the decision using the appeal processes detailed in FSH 2400 to the faculty or its duly authorized representative. Subsequent appeals may be taken to the president and to the regents when the president and the regents agree to hear the appeal.

A student found in violation guilty of the student code of conduct a disciplinary violation will be entitled to a new review/hearing if prejudicial error is found on appeal. If the appellate body affirms the action of the hearing body, the severity of the sanction/penalty shall not be increased if the appealed violation is affirmed.

Except in extraordinary circumstances, any disciplinary action shall be held in abeyance until appeals have been completed.

Appellate Review/hearing bodies may consider the validity of the regulations under which a review/disciplinary hearing was held and thoroughness of the findings and decisions, the compliance of All reviews/hearings must comply with provisions of this policy statement, and the adequacy of the hearing body’s findings and decision.
Appellate bodies shall establish their own procedures; review/hearing bodies these must include adequate notice to the parties and sufficient opportunity for the parties to prepare their arguments.

SECTION V--PROTECTION AGAINST IMPROPER DISCLOSURE. [See also FSH 2600.]

1. Students shall be protected from improper disclosure of all data from their disciplinary records as defined under Family Educational Rights and Privacy Act (FERPA) and Idaho Public Records Law. Such data shall only be made available: (a) in cases of legal compulsion, (b) when the student's written permission is secured, or (c) to persons within UI who are directly involved in the disciplinary proceedings established in this statement, and then only to the extent that consultation of the record is essential to determine the charge against the student or to determine penalties, and (d) provided that transcripts of academic records shall not contain information about disciplinary action except when such action affects the eligibility of the student to continue as a member of the academic community.

2. Information about a student contained in academic and counseling records shall be considered confidential. Information about the views, beliefs, and associations of students acquired by instructors and advisers may be released only with the written consent of the student. Judgments of ability and character may be provided, however. Information accumulated in counseling students on personal problems of a private or confidential nature shall be available only to those persons authorized by the student's written permission.

3. Information in academic and counseling records may be released only when: (a) such release is legally compelled, (b) the student gives written authorization for such release, (c) faculty and staff members have adequate reasons, as defined by the faculty, to consult academic records, or (d) individual students are neither identified nor identifiable in statistical summaries of academic records.

SECTION VI--CONSTRUCTION AND AMENDMENT.

1. The enumeration of rights in this statement policy shall not be construed to deny or disparage other rights retained by students.

2. This statement may be amended by the regents. Proposals for amendments from the university community to this policy will require be made upon a two-thirds affirmative majority vote of the students voting in an election in which at least 35 percent of the students vote ASUI Senate, together with the affirmative vote of a majority of Faculty Senate, the university faculty at a meeting at which a quorum is present. All policies are subject to review by the regents.

3. No legislation policy enacted by students or by the faculty shall supersede or conflict with the provisions of this policy statement.
STATEMENT OF STUDENT RIGHTS

PREAMBLE: The regents recognize that students enjoy the same inalienable rights as other citizens under the constitution and laws of the United States, and have, therefore, adopted the following statement. For further information, contact the Dean of Students (208-885-6757). See also the preamble to 2300.

CONTENTS:
Section I. Freedom of Association
Section II. Freedom of Inquiry and Expression
Section III. Student Conduct

SECTION I--FREEDOM OF ASSOCIATION.

1. Students shall be free to organize and join associations to promote their common interests.
2. UI may require student associations to submit a list of officers and objectives, but they shall not otherwise be required to disclose their membership.

SECTION II--FREEDOM OF INQUIRY AND EXPRESSION. [See also 6220.]

1. Students and student associations shall be free to examine and discuss all questions of interest to them and to express their opinions publicly or privately, subject only to civil and criminal law.
2. Students shall be free to support causes by any lawful means.
3. Student associations shall be free to invite and to hear any person at their meetings.
4. All official student communications media shall have the right to establish and maintain internal control of operations and content, free from prior censorship. Only for proper and stated causes will editors and managers be subject to removal, and then only by procedures prescribed at a prior date.

SECTION III--STUDENT CONDUCT [see also FSH 2100, FSH 2300, 2400].

1. Student conduct regulations shall be approved by the faculty and shall be codified and published under the title “Student Code of Conduct” (FSH 2300).
2. Violations of any rules imposed by University Housing are also violations of the Student Code of Conduct.
3. No disciplinary regulation shall discriminate against any student in violation of FSH 3200, 3210, 3215, 3220.
4. “Disciplinary action” is defined as any sanction imposed for misconduct pursuant to FSH 2400.
   a. Disciplinary action shall not be taken against any student until it has been determined that a code violation has occurred, except when action is necessary to stop a violation or when the situation merits an interim suspension. Procedures for review of code violations are described in FSH 2400.
   b. Disciplinary actions shall be commenced only for alleged violations of regulations that have been properly enacted and that are in force at the time of the violation.
5. Except where new material information is discovered, no student shall be brought up on alleged violations of the Student Code of Conduct a second time for the same alleged incident where a previous review/hearing was fully exhausted for the same alleged incident.
6. Any party to a disciplinary action shall have the right to appeal the decision using the appeal processes detailed in FSH 2400.
7. Review/hearing bodies must include adequate notice to the parties and sufficient opportunity for the parties to prepare their arguments.
I. **Policy/Procedure Statement:** Briefly explain the purpose of proposed addition, revision, and/or deletion to the Faculty/Staff Handbook or the Administrative Procedures Manual.

On September 24, 2013, the Office of the Dean of Students (DOS) presented to Faculty Senate a proposed Student Code of Conduct (SCC) to replace the current SCC published in the Faculty-Staff Handbook (FSH 2100, 2200, 2300, 2350, 2400, and 2450). Faculty Senate referred the DOS proposal to the University Judicial Council (UJC) and charged UJC “with making its own suggestion for revision of the SCC and related documents including such portions of the DOS draft as the committee shall find useful.” Faculty Senate also recommended that UJC work in consultation with the DOS and the Office of General Counsel so as to develop a unified code.

This document, FSH 2305 (University Disciplinary Process for Violations of Student Code of Conduct), was created as a temporary place-holding section of the FSH; it combines elements of the disciplinary process for violations of the SCC currently contained in FSH 2400 and 2450 into one section.

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

A thorough revision of FSH 2400 and 2450 was deemed necessary since the SCC had not been completely examined and revised in over forty years and contained numerous inconsistencies with other portions of the FSH dealing with student conduct, as well as ambiguous language. Furthermore, the language of the current SCC was written in a legalistic (i.e., court of law) format rather than student conduct format, which was determined to be inconsistent with the intent of a SCC. FSH 2305 also brings together all disciplinary process elements of the current SCC into a single section of FSH, thereby streamlining the disciplinary process for those individuals and organizations charged with its implementation.

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

IV. **Related Policies/Procedures:** Describe other policies or procedures existing that are related or similar to this proposed change. Upon adoption of FSH 2305 (placeholder); FSH 2400 and 2450 will be deleted and FSH 2305 will become FSH 2400. Related FSH policies include FSH 2100, 2200, and 2350.

V. **Effective Date:** This policy shall be effective on July 1, or January 1, whichever arrives first after final approval (see FSH 1460 D) unless otherwise specified in the policy.
UNIVERSITY DISCIPLINARY PROCESS FOR ALLEGED VIOLATIONS OF STUDENT CODE OF CONDUCT

PREAMBLE: This section outlines students of the UI disciplinary process. The UI disciplinary procedures philosophy is provided to inform students of the process in place at the University for resolving alleged violations of the Student Code of Conduct. The process is designed to allow for fact finding and decision making in the context of the University educational community. The objective is to provide a process that balances the rights of the individual with the legitimate interests of the University. For further information, contact the Dean of Students (208-885-6757).

A. INTRODUCTION. The purpose of the Student Code of Conduct is to educate students about their civic and social responsibilities as members of the University community. The primary focus of the disciplinary process is on educational and corrective outcomes; however, sanctions such as suspension or expulsion from the University may be necessary to uphold community standards and to protect the campus community. Any and all matters consistent with the Student Code of Conduct (“Code”) [2300] and the Statement of Student Rights [2200] are handled by the system under the following rules and regulations.

A-1. DEFINITIONS:

a. Advisor: the person of the student’s choosing who has agreed to advise a student during the University disciplinary process and attend scheduled meetings with the student. Students should choose an advisor who is available to attend any scheduled meetings, because advisor availability is not considered in scheduling meetings.

b. Days: days when the university is open for business, not including Saturday, Sunday, and University holidays. Time deadlines may be extended during breaks, University holidays, and for extenuating circumstances (e.g., non-Moscow locations) at the Dean of Students’ discretion.

c. DOS: the Office of the Dean of Students, which is responsible for the administration of the Student Code of Conduct, and includes the Dean of Students and his/her designees.

d. “Educational Setting” refers to all the academic, educational, extracurricular, athletic and other programs of the University of Idaho, whether those programs take place in a University facility, at a University class or training program, or elsewhere.

e. The Family Educational Rights and Privacy Act of 1974 (“FERPA”) is a federal law that governs the confidentiality of student education records.

f. Group: a number of students who are associated with each other, but who have not complied with University requirements for registration as an organization.

g. Interviews/meetings/hearings: Students at the Moscow campus will meet in person with DOS or hearing boards. Students at other locations will have the option to connect with DOS or hearing boards via visual medium (i.e. Lync or Skype). Exceptions may be made for extenuating circumstances.
h. Notice:
   (1) Any notice required by the Student Code of Conduct shall be provided in writing via email to the student’s official email account (i.e., *@vandals.uidaho.edu).
   (2) Students who do not have an official email account will receive notice via any email account the student provided the university.
   (3) Notice is deemed received the day after it is sent by email.

i. Organization: any number of persons who have complied with the formal requirements for University recognition.

j. Student: includes all persons admitted to the University, either full-time or part-time, to pursue undergraduate, graduate, or professional studies, and includes non-degree seeking students. The following persons are also considered “students”:
   (1) Persons who withdraw after allegedly violating the Student Code of Conduct;
   (2) Persons who are not officially enrolled for a particular term but who have a continuing relationship with the University;
   (3) Individuals participating in the American Language and Culture Program.
   (4) Individuals participating in Independent Study of Idaho sponsored by the University of Idaho.

k. Student Code of Conduct: herein referred to as “Code” (see FSH 2300).

l. SDRB: Student Disciplinary Review Board (see FSH 1640.93).

m. UI’s Office of General Counsel: herein referred to as “General Counsel” and includes any staff members.

n. University: University of Idaho, which includes all campus locations, extension programs, and distance education programs.

B. REVIEWING BODIES. The disciplinary system consists of the following: SDRB, Faculty Senate, President, and Regents.

B-1. SDRB. (see FSH 1640.93)

a. Scope of Responsibility.
   (1) SDRB adjudicates the following:
      (a) Any alleged violation of the Code that may not be appropriately handled within the living-group disciplinary body or that is not otherwise resolved by DOS.
      (b) Any alleged violation of ASUI rules and regulations not specifically designated to be adjudicated elsewhere.
      (c) Any matter that a living-group disciplinary body declines to adjudicate.
   (2) SDRB adjudicates requests for review of decisions of living-group disciplinary bodies and requests for review of decisions of any ASUI disciplinary bodies.

b. Range of Sanctions. The SDRB has the full range of sanctions set forth in D below.

B-2. Faculty Senate. The Faculty Senate adjudicates requests for review of SDRB decisions that include a sanction of suspension, expulsion, or withholding or revoking a degree.
B-4. President. The President’s office adjudicates requests for review of Faculty Senate decisions.

B-5. Board of Regents. The Board of Regents adjudicates final decisions made at the institutional level in accordance with Board of Regents policies.

C. PROCEDURES: All deadlines provided below are default provisions and are subject to change by written agreement of both parties. Failure to abide by any deadline will not be grounds for dismissal of the allegations.

C-1. Reporting of Alleged Violations and Initial Investigation by DOS.

a. Reporting Alleged Violations. Any person who has knowledge of an alleged violation of the Code should inform DOS of such alleged violation as soon as possible.

b. Initial Investigation. DOS shall receive all reports of alleged violations and investigate to determine whether the allegation is credible.

   (1) Students who are suspected of violations may be interviewed by DOS, but they must be informed by DOS at the beginning of such interview of the right to not speak to DOS and the reason for the interview. No form of coercion or harassment shall be used in the interview.

   (2) When a student is being interviewed by a third party and DOS is observing such interview, the student must be informed of the fact that DOS is observing and informed of the right to not speak to DOS.

   (3) DOS may speak with witnesses of the alleged incident, as well as the persons injured by the alleged violation. Any witness or other person having knowledge of the alleged violation may provide DOS with any relevant information or materials.

   (4) When the allegations in a student’s complaint include Sexual Harassment or Gender-Based Harassment, DOS must investigate the incident and take immediate steps to protect the persons who were injured by the alleged violation in the Educational Setting.

   (5) DOS may delay fact-finding while law enforcement authorities are gathering evidence; once notified that law enforcement has completed gathering evidence, DOS must promptly resume fact finding. DOS may not await the ultimate outcome of a law enforcement investigation or the filing of charges before resuming or beginning fact finding.

c. Notice of Alleged Violation. If DOS determines that the allegation is credible, DOS shall provide the student accused of violating the Code with written notice of the allegation. Such notice shall include:

   (1) the alleged misconduct,

   (2) the section of the Code alleged to have been violated,

   (3) a time and date that does not conflict with the student’s class schedule to meet with DOS to discuss the allegation(s),

   (4) a statement that the student may have an advisor present with him/her at the meeting,

   (5) a statement that the student does not have to speak with DOS about the allegation(s),

   (6) a statement that failure to show up for the meeting or to contact DOS to reschedule the meeting will be presumed to be the student’s exercise of his/her right to not speak with DOS, and

   (7) a statement that the investigation and determination regarding the allegation will proceed regardless of whether the student speaks with DOS.
d. Meeting with DOS. The student is given an opportunity to meet with DOS regarding the allegations, unless DOS has already interviewed the student (see C-1. b above). Except where the student agrees otherwise, the meeting with DOS may be scheduled no sooner than 2 days after receiving notice by email.

At this meeting, the student is given the opportunity to give his/her account of the incident leading to the allegation(s), and to provide DOS with the names and contact information of individuals who have personal knowledge of the incident or circumstances pertaining to the allegation(s). The student may have an advisor present at this meeting. If the student does not appear for his/her meeting and fails to contact DOS to reschedule before the meeting time, it will be presumed that the student has exercised his/her right to not speak to DOS.

e. Investigation & Determination. After the meeting time has passed, DOS shall continue its investigation of the allegations. DOS may speak with witnesses of the alleged incident, as well as the persons injured by the alleged violation. Any witness or other person having knowledge of the alleged violation may provide DOS with any relevant information or materials. When allegations include sexual harassment or gender based harassment, both parties should receive periodic updates from DOS. Many factors influence the time spent on investigating allegations with most being concluded within 60 days following receipt of the allegation(s).

Once the investigation is concluded, DOS shall make a finding as to whether the alleged violation occurred by a preponderance of the evidence (the “standard”). If DOS finds that the alleged violation occurred by that standard, DOS shall determine the appropriate sanction(s) and provide the student with written notice of the determination, the factual basis for the determination, any sanction(s) and information referencing this policy and timeframe.

(1) If the student accepts the determination made by DOS and the sanctions imposed, the student will sign an agreement to that effect within 5 days of receiving notice of the determination and sanctions. This agreement will contain language that informs the student of the following:
   (i) that the determination and sanctions are final;
   (ii) that the sanctions go into effect immediately; and
   (iii) that the student waives his/her right to request a review of the determination and sanctions.

(2) If the student does not accept the determination made by DOS and the sanctions imposed, and does not sign an agreement to that effect within 5 days of receiving notice of the determination and sanctions, then:
   (i) If the sanctions determined appropriate by DOS do not include suspension, expulsion, or withholding or revoking a degree, then the process continues in accordance with C-2.
   (ii) If the sanctions determined appropriate by DOS include suspension, expulsion, or withholding or revoking a degree, then the process continues in accordance with C-3.

(3) At the conclusion of each semester, DOS shall provide a descriptive written report to the SDRB summarizing the accepted determinations entered into during the course of the semester. This report will also be forwarded by DOS to the Faculty Secretary.

(4) When allegations include sexual harassment or gender based harassment both parties receive a response regarding the outcome of the complaint within 10 business days following the decision.
C-2. Requests for a SDRB review for sanctions other than suspension, expulsion, or withholding or revoking a degree.

a. The student must submit a written request for a SDRB review to DOS no later than 5 days after the student receives notice of the determination and sanctions via email. Any student who fails to submit the written request for a SDRB review by the deadline will be informed by DOS of the following in a Failure to Seek Review Letter:
   (1) that the determination and sanction imposed by DOS is the final institutional decision,
   (2) that the sanctions go into effect immediately, and
   (3) that the student may request a review by the Board of Regents pursuant to C-9.

b. The written request for a SDRB review must cite at least one of the following reasons for the review and must provide supporting arguments and documentation as to why a SDRB review should be granted on those grounds:
   (1) DOS failed to properly investigate the allegation and such failure was both substantial and to the student’s detriment;
   (2) There is such a clear factual error that DOS could not possibly find that a violation of the Code occurred;
   (3) The sanctions are excessive for the violation given the circumstances. Simple dissatisfaction with a sanction is not grounds for appealing a sanction under this provision;
   (4) New information that could substantially affect the outcome of DOS’s investigation and determination has been discovered since the determination was made. The information must have been unavailable at the time of DOS’s investigation. Failure to inform DOS of information that was available is not grounds for requesting a SDRB review under this provision;
   (5) DOS committed a substantial procedural error that materially impacted its investigation and determination to the student’s detriment.

c. DOS shall provide the Chair of SDRB with all received requests for a SDRB review, along with a statement of whether DOS believes each received request meets the requirements above.

d. SDRB shall review each request for a review within 5 days of receipt and make an initial determination of whether the request meets the requirements above.
   (1) For requests that fail to meet the requirements above, SDRB will deny the request and inform both the student and DOS of its decision. The determination made by DOS and the sanctions imposed will become final, this is deemed a final institutional decision, and the student may request a review by the Board of Regents pursuant to C-9, within 5 days of receiving notice of the SDRB denial.
   (2) For requests that meet the requirements above, SDRB will determine whether to adjudicate the request based on written submissions only, or whether to adjudicate the request through a hearing, and will inform both the student and DOS of its determination. SDRB may request additional information or documentation from the student or DOS independent of the form of adjudication chosen.
   (i) For reviews involving written submissions only, SDRB will provide DOS with a reasonable amount of time to present any information or materials (generally no more than 5 days).
(ii) For reviews that involve a hearing, the Chair of SDRB will schedule the hearing to occur no later than 10 days after the SDRB decision to adjudicate the request through a hearing, at a time that does not conflict with the student’s class schedule. The Chair of SDRB shall not consider the availability of any advisor in setting the hearing date and time. Both the student and DOS must submit any materials intended to be introduced and considered at the hearing to both SDRB and the other party by noon Pacific time of the day before the hearing. Only materials submitted to both the Chair of SDRB and the other party by the deadline may be introduced and considered at the hearing. The hearing will be conducted in accordance with C-4.

C-3. Scheduling a SDRB hearing for a student sanctioned with suspension, expulsion, or withholding or revoking a degree.

a. DOS will notify the Chair of SDRB that a hearing is necessary because the student did not agree to the determination made by DOS and the sanctions included suspension, expulsion, or withholding or revoking a degree.

b. Except in extraordinary circumstances, the Chair of SDRB will schedule the hearing to occur no later than 10 days after being notified by DOS of the need for a hearing, at a time that does not conflict with the student’s class schedule. Both DOS and the student may have an advisor present at the hearing. However, SDRB shall not consider the availability of any advisor in setting the hearing date and time.

c. Both the student and DOS must submit any materials intended to be introduced and considered at the hearing to both SDRB and the other party by noon Pacific time of the day before the hearing. Only materials submitted to both the Chair of SDRB and the other party by the deadline may be introduced and considered at the hearing. The hearing will be conducted in accordance with C-4.

C-4. SDRB Disciplinary Hearing Process: The purpose of a SDRB hearing is to determine whether it is more likely than not that the student violated the Code.

a. In hearings involving more than one student, the SDRB chair has the discretion to permit the hearings concerning each student to be conducted separately.

b. The chair of SDRB may issue a notification to any UI student requiring such individual to appear at a SDRB hearing as a witness. Such notification will be delivered in accordance with A-1.f. The notification shall inform the student that it is a violation of the Code to

(1) fail to appear or to refuse to speak as a witness, unless such act would force the student to speak against him/herself, in which case the student must promptly notify the chair of SDRB that the student will not appear or speak for this reason;
(2) disrupt, impede, threaten, or disregard the procedures of the SDRB; and
(3) provide information to the SDRB that the student knows or should know to be false.

When a student notifies the chair of SDRB pursuant to (1) above, the chair shall promptly notify both parties.

c. A student’s failure to appear at the SDRB hearing or to speak as a witness will have no bearing on the question of whether the student violated the Code and may not be
used to conclude that a violation occurred, except as to allegations of failure to appear (see FSH 2300 Article I.A-5.h).

d. SDRB shall record the audio of the SDRB hearing. The audio record will be the property of the UI, will be maintained by DOS, and will be used in accordance with applicable privacy laws.

e. Relevancy is the only criteria by which information submitted is evaluated. Relevancy is determined by the Chair of SDRB. All oral or written information statements, records, etc., as well as copies of the same, shall be considered by members of the SDRB as long as the Chair of SDRB determines that such items are relevant.

   (1) Second-hand information is relevant if it is of the type commonly relied upon by prudent persons in the conduct of their affairs.
   (2) Character witnesses who lack knowledge of the incident being heard or circumstances pertaining to the allegation(s) lack relevant information and therefore may not be witnesses at the hearing.
   (3) Any person present at the SDRB hearing may ask the Chair of SDRB to determine whether any oral or written information, statement, record, etc. or question or answer is relevant.
   (4) All questions regarding SDRB hearing procedures and determinations of relevancy are subject to the final decision of the Chair of SDRB.

f. The Chair of SDRB may request assistance by General Counsel regarding any questions of SDRB hearing procedures and determinations of relevancy.

g. Hearings shall be conducted in private. The following individuals are permitted at a SDRB hearing:

   (1) the student,
   (2) the student’s advisor,
   (3) members of the SDRB,
   (4) DOS,
   (5) DOS’s advisor,
   (6) General Counsel,
   (7) persons who reported or were injured by the alleged violation, and their advisor,
   (8) except for the student and the persons who were injured by the alleged violation, witnesses are allowed only during their testimony,
   (9) any person approved by the chair.

h. If the student fails to appear at the SDRB hearing despite proper notice, DOS shall present any information, materials, and witnesses to support its determination of a violation of the Code. Based on the DOS presentation, the SDRB shall make its determination.

i. The Chair of SDRB shall ensure the smooth operations of the SDRB hearing, and may remove any individual who disrupts the SDRB hearing.

j. DOS has the responsibility of providing sufficient information, materials, and witnesses to support its assertion that the student violated the Code. The student has no obligation to provide any information, materials, or witnesses, and is presumed to not have violated the Code.

k. Generally, the SDRB hearing shall be conducted in the following order:

   (1) The Chair of SDRB will ask each individual present at the SDRB hearing to
identify him/herself by providing his/her name and role at the SDRB hearing.

(2) The Chair of SDRB will remind the student of:
   (i) the right to have an advisor,
   (ii) the right to refuse to speak as a witness, and
   (iii) that the refusal to speak as a witness will have no bearing on the
        question of whether the student violated the Code and may not be used
        to conclude that a violation occurred.

(3) DOS will have the opportunity to make any opening remarks.

(4) The student will have the opportunity to make any opening remarks.

(5) DOS will have the opportunity to present any information, materials, and
     witnesses.
     (i) The student and SDRB members will have the opportunity to ask
         questions of any witnesses, except as described in (ii) below.
     (ii) When the allegations involve sexual harassment or gender-based
          harassment, neither the student nor his/her advisor will be permitted to
          directly question the persons injured by the alleged violation. Instead,
          questions from the student or his/her advisor may be submitted in
          writing to the Chair of SDRB who will ask any questions determined to
          be relevant.

(6) The student will have the opportunity to present any information, materials,
     and witnesses.

(7) DOS and SDRB members will have the opportunity to ask questions of any
     witnesses.

(8) DOS will have the opportunity to make any closing remarks.

(9) The student will have the opportunity to make any closing remarks.

(10) DOS will have the opportunity to respond to the student’s closing remarks.

(11) The SDRB shall meet in a closed session to discuss and make its decision.
     The chair of the SDRB, or the designee in the event of absence of the chair,
     is permitted to vote only in the event of a tie vote.

C-5. Results of SDRB.

a. Within 3 days of completing its adjudication, whether through written submission
   only or through a hearing, SDRB will issue a written determination of its findings to the
   student and DOS.
   (1) The SDRB decision must be based on a majority vote,
   (2) For SDRB review of matters involving sanctions other than suspension, expulsion, withholding or revoking a degree, the SDRB decision must
       (i) identify the stated basis for SDRB review,
       (ii) state the SDRB’s conclusion as to that basis, and
       (iii) identify the facts, conduct, or circumstances it found to support its conclusion.
   (3) For SDRB review of matters involving sanctions of suspension, expulsion, or withholding or revoking a degree, the SDRB decision must
       (i) state whether the DOS conclusion that the student more likely than not violated the Code is supported by the information, materials, and
           witnesses presented at the SDRB hearing, and
       (ii) identify the facts, conduct, or circumstances it has found to support its conclusion.
   (4) SDRB can:
       (i) uphold the decision and sanction(s),
       (ii) uphold the decision but revise the sanction(s),
       (iii) return the matter to DOS for reinvestigation and reconsideration, or
(iv) dismiss the decision and the sanction(s) after consulting with General Counsel.

b. As to students whose sanctions do not include suspension, expulsion, or withholding or revoking a degree, the SDRB decision is the final institutional decision and any sanctions go into effect immediately. Such SDRB decision may be appealed to the Board of Regents pursuant to C-9.

c. As to students whose sanctions include suspension, expulsion, or withholding or revoking of a degree, the student may request, in writing, a review of the SDRB decision by the Faculty Senate pursuant to C-6.

C-6. Requests for Review by Faculty Senate.

a. Written requests for a faculty senate review must be delivered to DOS no later than 3 days after the student is provided notice of the SDRB determination via email. Any student who fails to submit the written request for a faculty senate review by the deadline will be informed by DOS of the following in a Failure to Seek Review Letter:
   (1) that the determination and sanction imposed by SDRB is the final institutional decision,
   (2) that the sanctions go into effect immediately, and
   (3) that student may request a review by the Board of Regents pursuant to C-9.

b. The written request for review must cite at least one of the below reasons and must provide supporting arguments and documentation as to why a faculty senate review should be granted on those grounds:
   (1) SDRB could not reasonably determine that there was no substantial and detrimental failure to properly investigate by DOS;
   (2) SDRB could not reasonably determine that there was no clear factual error that would prevent concluding that a violation of the Code occurred;
   (3) Sanctions imposed by the SDRB are excessive for the violation given the circumstances. Simple dissatisfaction with a sanction is not grounds for appealing a sanction under this provision;
   (4) New information that could substantially affect the outcome of DOS’s investigation and determination has been discovered since the SDRB’s determination was made. The information must have been unavailable at the time of DOS’s investigation. Failure to inform DOS of information that was available is not grounds for requesting additional review under this provision.
   (5) There was substantial procedural error that materially impacted the SDRB decision to the student’s detriment.

c. DOS shall provide the Faculty Senate Leadership with all requests for a senate review, along with a statement of whether DOS believes each request meets the requirements above.

d. The Faculty Senate Leadership shall review each request within 5 days of receipt and determine whether the request meets the requirements above.
   (1) For requests that fail to meet the requirements above, the Faculty Senate Leadership will deny the request and inform the student, the Chair of SDRB, and DOS of its decision. The determination made by the SDRB will become final and the sanctions imposed will become effective immediately as of the original date of the SDRB determination, this is deemed a final institutional decision, and the student may request a review by the Board of Regents in accordance with C-
9.

(2) For requests that meet the requirements above, the Faculty Senate Leadership, will, within 10 days from receipt of the request, appoint three of its members to a review panel. The chair may not be a student. Persons appointed must have no interest in or involvement with the parties to or the subject matter of the situation under review.

e. The senate review panel is a review of the materials submitted only; there is no hearing, although the panel may request additional materials from the parties.

f. DOS will provide the senate review panel with the audio recording of the UJC hearing, along with the DOS response to the student’s submission within a reasonable amount of time (generally no more than 5 days).

C-7. Results of Faculty Senate Review Panel.

a. Except in extraordinary circumstances, the review panel will review all materials submitted, and provide a written decision to both parties within 10 days of receiving all the materials from DOS.

(1) The review panel’s decision must
   (i) be based on a majority vote,
   (ii) identify the stated basis for faculty senate review,
   (iii) state the faculty senate’s conclusion as to that basis, and
   (iv) identify the facts, conduct, or circumstances it found to support its conclusion.

(2) The review panel can:
   (i) uphold the SDRB decision,
   (ii) uphold the SDRB decision but revise the sanction(s),
   (iii) return the matter to DOS for reinvestigation and reconsideration or to SDRB for reconsideration, or
   (iv) dismiss the decision and the sanctions after consulting with General Counsel.

b. If the decision of the senate review panel is to uphold the SDRB decision the sanctions are effective immediately as of the original date of the SDRB determination.

C-8. Request for Review by the President.

a. Students whose sanctions include suspension, expulsion, or withholding or revoking of a degree may request a review of the faculty senate decision by the president.

b. Written requests for review by the president are accepted and must be delivered to both DOS and the President’s office no later than 3 days after the student is provided notice of the faculty senate determination via email.

c. The president has complete discretion whether to engage in any review of the faculty senate decision, including what materials to consider and from whom.

d. The president’s decision after a review, or the president’s decision to decline to engage in any review, is the final institutional decision.

e. The president will provide a written decision to both parties.

C-9. Requests for Review by the Board of Regents. Any student may appeal a final
institutional decision to the Board of Regents in accordance with Idaho State Board of Education Governing Policies and Procedures Section III.P.18.

C-10. Requests for Review by DOS. DOS may request a review of any decision of the SDRB, faculty senate, and President in the same fashion as that provided to a student in C-6, C-8, and C-9 asserting any of the following:

a. The decision contained clear factual error;

b. Sanctions imposed by the decision are insufficient for the violation given the circumstances. Simple dissatisfaction with a sanction is not grounds for appealing a sanction under this provision;

c. New information that could substantially affect the outcome of the decision has been discovered since the determination was made;

d. The decision contained substantial procedural error.

C-11. Disclosure of Outcome Involving Sexual Harassment and Gender Based Harassment.

a. Both parties will be notified, in writing, of the outcome of an alleged violation and any review. “Outcome” for these purposes means whether the harassment was found to have occurred. The University will only disclose information to the harassed student about the sanctions imposed when they directly relate to the harassed student, such as a sanction of no contact with the complainant.

b. When the allegations include a crime of violence or a non-forcible sex offense (as defined by FERPA), the University will disclose to the alleged victim of such crime or offense the final results of any disciplinary proceeding conducted by the University against a student who is an alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph. The University may disclose to anyone, upon written request, the final results of a disciplinary proceeding if the University determines that the student is an alleged perpetrator of a crime of violence or a non-forcible sex offense, and, with respect to the allegation made, the student has committed a violation of the institution’s rules or policies. “Final results” for these purposes means the name of the accused student, any violation found to have been committed, and any sanction imposed against the accused student by the University.

c. When the allegations include a sex offense (as defined by FERPA), both parties must be informed of the outcome of any institutional disciplinary proceeding (APM 95.20). “Outcome” for these purposes means the University’s final determination with respect to the alleged sex offense and any sanctions imposed.

D. SANCTIONS.

D-1. The following sanctions may be imposed upon any student determined to have violated the Code:

a. Warning: a written notice to the student.

b. Probation: a written reprimand accompanied by a probationary period during which the student must not violate the Code in order to avoid more severe disciplinary sanctions.
c. Loss of Privileges: denial of specified privileges for a designated period of time.

d. Restitution: compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.

e. Educational Sanctions: completion of work assignments, essays, service to the University, community service, workshops, or other related educational assignments.

f. Administrative Fees: minimum of $150.

g. Housing Suspension: separation of the student from University Housing for a definite period of time, after which the student is eligible to return. Conditions for return may be specified.

h. Housing Expulsion: permanent separation of the student from University Housing.

i. University Suspension: separation of the student from the University for a definite period of time, after which the student is eligible to return. Conditions for return may be specified.

j. University Expulsion: permanent separation of the student from the University.

k. Revocation of Admission and/or Degree: admission to or a degree awarded from the University may be revoked for fraud, misrepresentation, or other violation of University standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.

l. Withholding Degree: the University may withhold awarding a degree otherwise earned until the completion of all sanctions imposed.

D-2. More than one of the sanctions listed above may be imposed for any single violation.

D-3. A student who fails to comply with the sanction(s) imposed shall have a disciplinary hold placed on his/her record until the student complies with all sanctions imposed.

D-4. Disciplinary sanctions other than suspension, expulsion or revocation or withholding of a degree shall not be made part of the student’s permanent academic record, but shall become part of the student’s disciplinary record. Such sanctions shall be expunged from the student’s disciplinary record seven (7) years after final disposition of the case.

D-5. The Regents of UI adopted guidelines for enforcing alcohol restrictions which include sanctions for violation of these restrictions. The sanctions below are the minimum sanctions imposed on students who have violated alcohol restrictions as described in the Code.

D-6. The University may notify parents of students under the age of 21 when a student has been found to have committed a drug or alcohol-related violation. The student will be responsible for administrative and educational costs of any and all sanctions imposed for alcohol related violations.

D-7. Sanctions imposed for alcohol related violations:

<table>
<thead>
<tr>
<th>First infraction</th>
<th>Sanction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Open container or minor in possession violations.</td>
<td>Completion of educational program.</td>
</tr>
</tbody>
</table>
First Infraction: Illegal distribution of alcohol.
Sanction: Completion of community service, period of probation, and educational programs.

Second Infraction: Without injury; or without conduct likely to lead to injury.
Sanction: Completion of a treatment and/or educational program.
Second Infraction: With injury; or conduct likely to lead to injury.
Sanction: Notification to the criminal justice system, strict probation, and, a treatment or educational program.

Third Infraction: Without injury; or without conduct likely to lead to injury.
Sanction: Referral to the appropriate administrative body of the institution for appropriate action, which must include, at least, suspension from school for one semester.
Third Infraction: With injury; or conduct likely to lead to injury.
Sanction: Referral to the appropriate administrative body of the institution for appropriate action, which must include, at least, referral to the criminal justice system and expulsion from the institution for one year.

E. INTERIM SUSPENSION. In certain circumstances, the Dean of Students may impose an interim suspension on a student prior to completing the investigation described in C-1.e. The interim suspension is effective immediately. During the interim suspension, the student shall be denied access to the residence halls and/or to the campus (including classes) and/or all other University activities or privileges for which the student might otherwise be eligible, as the Dean of Students may determine to be appropriate and as provided in the written notice.

E-1. Interim suspension may be imposed only:
   a. To ensure the safety and well-being of members of the University community or preservation of University property;
   b. To ensure the student’s own physical or emotional safety and well-being; or
   c. If the student poses an ongoing threat of disruption of, or interference with, the normal operations of the University.

E-2. A student placed on interim suspension shall be given written notice of this action, which shall include:
   a. the reasons for the interim suspension, and
   b. information concerning the right to appeal the decision for interim suspension.

E-3. Interim Suspension Review Process:
   a. The student must submit a written document to DOS outlining the basis for the review and supporting documentation and/or other information.
   b. The DOS will submit all documents received, as well as DOS response, to the Chair of SDRB within 1 day of receiving the student’s documents.
   c. The Chair of SDRB and at least two other SDRB members will review all submitted materials and render a decision within 3 days. This decision is a final institutional decision subject to review by the Board of Regents in accordance with C-9.
POLICY COVER SHEET

(See Faculty Staff Handbook 1460 for instructions.) 1/08

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

Chapter & Title:  FSH 2400 - Student Judicial System

All policies must be reviewed, approved and returned by a policy sponsor, with a cover sheet attached to apm@uidaho.edu or fsh@uidaho.edu respectively.
*Note: If revision/deletion request original document from apm@uidaho.edu or fsh@uidaho.edu, all changes must be made using “track changes.”

Originator(s):  Dean of Students  July/August 2013
(Please see FSH 1460 C)

Policy Sponsor:  (If different than originator.)  UJC Sub-Committee – Steven R. Shook, Feb. 2014

Reviewed by General Counsel  _X_ Yes  ____No  Name & Date:  ____G. Costa _3/6/14

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

On September 24, 2013, the Office of the Dean of Students (DOS) presented to Faculty Senate a proposed Student Code of Conduct (SCC) to replace the current SCC published in the Faculty-Staff Handbook (FSH 2100, 2200, 2300, 2350, 2400, and 2450).

Faculty Senate referred the DOS proposal to the University Judicial Council (UJC) and charged UJC “with making its own suggestion for revision of the SCC and related documents including such portions of the DOS draft as the committee shall find useful.” Faculty Senate also recommended that UJC work in consultation with the DOS and the Office of General Counsel so as to develop a unified code.

This document, FSH 2400 (Student Judicial System), is being deleted since disciplinary processes contained within it have been incorporated into temporary place-holding section (FSH; 2305).

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

A thorough revision of FSH 2400 was deemed necessary since the SCC had not been completely examined and revised in over forty years and contained numerous inconsistencies with other portions of the FSH dealing with student conduct, as well as ambiguous language. Furthermore, the language of the current SCC was written in a legalistic (i.e., court of law) format rather than student conduct format, which was determined to be inconsistent with the intent of a SCC. Elements of the disciplinary process (i.e., judicial system) were also contained within other section of the FSH beside FSH 2400. Placeholder FSH 2305 brings together all disciplinary process elements of the current SCC, including FSH 2400, into a single section of FSH, thereby streamlining the disciplinary process for those individuals and organizations charged with its implementation.

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

IV. Related Policies/Procedures:  Describe other policies or procedures existing that are related or similar to this proposed change.  Upon adoption of FSH 2305 (placeholder), FSH 2400 and 2450 will be deleted and FSH 2305 then becomes FSH 2400.

V. Effective Date:  This policy shall be effective on July 1, or January 1, whichever arrives first after final approval (see FSH 1460 D) unless otherwise specified in the policy.
PREAMBLE: This section outlines UI's student judicial system. This section dates from the 1979 Handbook with relatively minor revisions, the last of which, in July 1993, membership and quorum was changed in the membership and quorum of the University Judicial Council. In 2008 the committee composition previously in B-2 was moved into FSH 1640 Committee Directory. In 2014 the Dean of Students Office, General Counsel, and a sub-committee of University Judicial Council and Faculty Senate, conducted a thorough review of all policies related to the Student Code of Conduct. All disciplinary language from FSH 2200 Statement of Student Rights and FSH 2300 Student Code of Conduct was consolidated into this policy and updated removing redundancies in policy. For further information, contact the Dean of Students (208-885-6757).

CONTENTS:
A. Introduction
B. Judicial and Disciplinary Bodies

A. INTRODUCTION. UI's student judicial system is established and maintained for the prosecution and handling of disciplinary matters concerning UI students (as "student" is defined in the preamble to the Statement of Student Rights [2200]). Any and all matters consistent with the Student Code of Conduct [2300] and the Statement of Student Rights are handled by the system under the following rules and regulations.

B. JUDICIAL AND DISCIPLINARY BODIES. The system consists of the following: living-group disciplinary bodies, University Judicial Council (UJC), Faculty Senate, president, and regents.

B-1. Living Group Disciplinary Bodies.
   a. Composition. Each living group has a disciplinary body, the composition of which is to be determined by the group.
   b. Jurisdiction. Each living group disciplinary body has jurisdiction only over those violations that are primarily internal in cause and effect. If the offense also violates the Student Code of Conduct, the living group must communicate with the ASUI student defender and the judicial officer in Student Advisory Services before taking jurisdiction. The determination of jurisdiction is decided by mutual agreement of the ASUI student defender, the judicial officer, and the complaining party. If the ASUI student defender, the judicial officer, and the complaining party fail to agree unanimously on the proper hearing body, the matter is referred to UJC, which decides the case on the merits. However, the living group disciplinary body has the right to decline to hear a case brought before it, in which instance the matter is referred to UJC, which will hear the case on the merits. If a living group disciplinary body proceeds without jurisdiction, its proceedings, findings, and sentence are void and are no bar to a new trial.
   c. Range of Sanctions. The living group disciplinary body may order any sanction it deems just, so long as it is consistent with those stated in

Commented [TA(1)]: Once the proposed policy UJC is working on is complete, it will assume this number.

Commented [TA(2)]: Was moved to 2305 Judicial as A.

Commented [TA(3)]: Moved to B in Judicial, and subsequently deleted, living group language is no longer applicable.
articles V and XI of the Student Code of Conduct and in the Statement of Student Rights.

B-2. University Judicial Council. (see 1640.93)

a. Jurisdiction. (ren. 7-08)

(1) UJC has original jurisdiction in the following instances:

(a) Any violation of the Student Code of Conduct that may not be appropriately handled within the living-group disciplinary body. [See B-1-b.]

(b) Any violation of ASUI rules and regulations not specifically designated to be heard elsewhere.

(c) Any matter that a living-group disciplinary body declines to hear. [See B-1-b.]

(2) UJC has appellate jurisdiction over decisions of living-group disciplinary bodies and decisions of the ASUI Judicial Council. (The ASUI Judicial Council is an internal council of the ASUI. Please refer to ASUI governing policies for further information.)

b. Range of Sanctions. The UJC has the full range of sanctions set forth in the Student Code of Conduct. (ren. 7-08)

B-3. Faculty Senate. The Faculty Senate has appellate jurisdiction over all student disciplinary proceedings and must comply with section IV, paragraph 11, item (d), of the Statement of Student Rights. [See 2450.] [ed. 6-09]

B-4. President. The president has appellate jurisdiction over the Faculty Senate. [ed. 6-09]

B-5. Board of Regents. The regents have final appellate jurisdiction within the UI system.

Commented [at4]: Moved to new 2305 Judicial B-2 and edited, see redline with comments version for edits.

Commented [at5]: New 2305 Judicial B-3

Commented [at6]: New 2305 Judicial B-4

Commented [at7]: New 2305 Judicial B-5
POLICY COVER SHEET

(See Faculty Staff Handbook 1460 for instructions.)[J/08]

<table>
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<tr>
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Chapter & Title:  FSH 2450 – Appeals to Faculty Senate

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

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

Originator(s):  Dean of Students  July/August 2013

(Here see FSH 1460 C)

Policy Sponsor: (If different than originator.)  UJC Sub-Committee – Steven R. Shook  February 2014

Reviewed by General Counsel  _ _X_ Yes ____No  Name & Date:  ____G. Costa

Telephone & Email:  208-885-6802  shook@uidaho.edu

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

On September 24, 2013, the Office of the Dean of Students (DOS) presented to Faculty Senate a proposed Student Code of Conduct (SCC) to replace the current SCC published in the Faculty-Staff Handbook (FSH 2100, 2200, 2300, 2350, 2400, and 2450).

Faculty Senate referred the DOS proposal to the University Judicial Council (UJC) and charged UJC “with making its own suggestion for revision of the SCC and related documents including such portions of the DOS draft as the committee shall find useful.” Faculty Senate also recommended that UJC work in consultation with the DOS and the Office of General Counsel so as to develop a unified code.

This document, FSH 2450 (Appeals to Faculty Senate), is being deleted since disciplinary processes contained within it have been incorporated into temporary place-holding section (FSH 2305).

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

A thorough revision of student disciplinary system was deemed necessary since the SCC had not been completely examined and revised in over forty years and contained numerous inconsistencies with other portions of the FSH dealing with student conduct, as well as ambiguous language. Furthermore, the language of the current SCC was written in a legalistic (i.e., court of law) format rather than student conduct format, which was determined to be inconsistent with the intent of a SCC. Elements of the disciplinary process (i.e., judicial system) were also contained within other section of the FSH beside FHS 2450. Placeholder FSH 2305 brings together all disciplinary process elements of the current SCC, including FSH 2450, into a single section of FSH, thereby streamlining the disciplinary process for those individuals and organizations charged with its implementation.

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

IV. Related Policies/Procedures:  Describe other policies or procedures existing that are related or similar to this proposed change. Upon adoption of FSH 2305 (placeholder), FSH 2400 and 2450 will be deleted and FSH 2305 then becomes FSH 2400. FSH 2100, 2200, 2300, and 2350.

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

PREAMBLE: This section, added to the Handbook in May, 1984, outlines the appeal process in student disciplinary cases. For further information, contact the Dean of Students (208-885-6757).

CONTENTS:

A. Right of Appeal
B. Appellate Jurisdiction
C. Procedural Requirement
D. Procedures

A. RIGHT OF APPEAL. "Any party to a disciplinary hearing shall have the right to appeal the decision to the faculty or its duly authorized representative. Subsequent appeals may be taken to the president and to the regents when the president and the regents agree to hear the appeal." [2200 IV-11]

B. APPELLATE JURISDICTION. "The Faculty Senate has appellate jurisdiction over all student disciplinary proceedings and must comply with section IV, paragraph 11, item (d), of the `Statement of Student Rights.'" [2400 B-3]

C. PROCEDURAL REQUIREMENT. "Appellate bodies shall establish their own procedures; these must include adequate notice to the parties and sufficient opportunity for the parties to prepare their arguments." [2200 IV-11(d)]

D. PROCEDURES. Pursuant to the authority and responsibility cited above, the Faculty Senate has established the following procedures for the exercise of its appellate jurisdiction over student disciplinary proceedings: [ed. 6-09]
D-5. The appellee must submit a brief to the panel, and see that a copy is delivered to the appellant, at least one day before the hearing date; a copy must be provided for each member of the panel.

D-6. A transcript of the UJC hearing is provided to the panel and to both parties by Student Advisory Services.

D-7. At the hearing, the appellant is allowed 15 minutes for oral argument; the appellant may reserve a maximum of 5 minutes for rebuttal following the appellee’s argument. The appellee is allowed 15 minutes for oral argument and may not reserve any time.

D-8. Oral arguments are recorded on tape and the tape is stored in Student Advisory Services.

D-9. As to questions of law, the panel may review the record of the UJC hearing and all the evidence presented therein and may make an independent resolution of those questions of law.

D-10. As to questions of fact, the panel may reverse the decision of the UJC only on a showing of clear error. Further, on appeal by the university of an adverse UJC ruling, the defendant may not be placed in jeopardy a second time; the purpose of such an appeal is the clarification of rules and establishment of precedent.

D-11. The findings and decision of the panel must be based on concurrence of a majority of its members; these are issued in writing to the parties.

Commented [at10]: New Judicial C-6 g.

Commented [at13]: Portions of D-7, 8, 9, 10, 11 are used in new Judicial C-6 f, g & C-7 a – panel formed Senate Leadership decides yes/no – review only no hearing

Commented [TA(12)]: New judicial C-6 f, no hearing, material review

Commented [at13]: New judicial C-7 a, if panel is formed, no hearing – material review

Commented [at14]: New Judicial C-6 c 1-5, now specific criteria are used to determine whether a review and panel is necessary, also in C-7 a if panel is formed.

Commented [at15]: This last sentence is in new Judicial C-1 c 2.

Commented [at16]: New Judicial C-7 a
### POLICY COVER SHEET

*See Faculty Staff Handbook 1460 for instructions.*

<table>
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</table>

**Minor Amendment □**  

**Chapter & Title:** FSH 2350 – Sexual Harassment & Sexual Violence Pertaining Specifically to Students

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

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

<table>
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<tr>
<th>Originator(s):</th>
<th>Dean of Students</th>
<th>July/August 2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Please see FSH 1460 C)</td>
<td>Name</td>
<td>Date</td>
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<tr>
<td><strong>Policy Sponsor:</strong></td>
<td>UJC Sub-Committee – Steven R. Shook</td>
<td>March 2014</td>
</tr>
<tr>
<td>Name</td>
<td>Date</td>
<td>208-885-6802</td>
</tr>
</tbody>
</table>

**Telephone & Email:**

**Reviewed by General Counsel**  

Yes  
No  
Name & Date: G. Costa

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

On September 24, 2013, the Office of the Dean of Students (DOS) presented to Faculty Senate a proposed Student Code of Conduct (SCC) to replace the current SCC published in the Faculty-Staff Handbook (FSH 2100, 2200, 2300, 2350, 2400, and 2450). Faculty Senate referred the DOS proposal to the University Judicial Council (UJC) and charged UJC “with making its own suggestion for revision of the SCC and related documents including such portions of the DOS draft as the committee shall find useful.” Faculty Senate also recommended that UJC work in consultation with the DOS and the Office of General Counsel so as to develop a unified code.

This document, FSH 2350 (Sexual Harassment & Sexual Violence Pertaining Specifically to Students), is being deleted since disciplinary processes contained within it have been incorporated into temporary place-holding section (FSH 2305). Other elements of 2350 concerning definitions and descriptions of violations of sexual harassment and sexual violence pertaining specifically to students have been incorporated into a revision of FSH 2300.

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

A thorough revision of student disciplinary system was deemed necessary since the SCC had not been completely examined and revised in over forty years and contained numerous inconsistencies with other portions of the FSH dealing with student conduct, as well as ambiguous language. Furthermore, the language of the current SCC was written in a legalistic (i.e., court of law) format rather than student conduct format, which was determined to be inconsistent with the intent of a SCC. Elements of the disciplinary process (i.e., judicial system) were also contained within other section of the FSH beside FSH 2350. Placeholder FSH 2305 brings together all disciplinary process elements of the current SCC, including FSH 2350, into a single section of FSH, thereby streamlining the disciplinary process for those individuals and organizations charged with its implementation. Definitions and descriptions of violations of sexual harassment and sexual violence pertaining specifically to students have been incorporated into a revision of FSH 2300.

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

**IV. Related Policies/Procedures:** Describe other policies or procedures existing that are related or similar to this proposed change. Upon adoption of FSH 2305 (University Disciplinary Process for Violations of Student Code of Conduct) and revision of 2300 (Student Code of Conduct), FSH 2350 will be deleted.
V. **Effective Date:** This policy shall be effective on July 1, or January 1, whichever arrives first after final approval (see FSH 1460 D) unless otherwise specified in the policy.

If not a minor amendment forward to: ______________________________

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

FSH  
Appr. ________  
FS-14-030  
GFM ________  
Pres./Prov. ________  
[Office Use Only]

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

Track # ___________  
UP-14-033__  
Date Rec.: __  
Posted: t-sheet ___________  
h/c ___________  
web ___________  
Register: ___________  
(Office Use Only)
PREAMBLE. In March of 2012 President M. Duane Nellis, enacted the following policy (in the form of an emergency policy pursuant to FSH 1460 C-3) to implement revisions to University Policy addressing claims of Sexual Harassment (including Sexual Violence) and claims of Gender-Based Harassment to conform to legal requirements promulgated by the U.S. Department of Education. [rev. 5-12]

NOTE: The following policy will apply to claims of Sexual Harassment (including Sexual Violence) and claims of Gender-Based Harassment whether occurring on or off campus. The terms of this policy supplement current University policy regarding Sexual Harassment, and supersede any contrary terms in any current University policy (including any contrary terms in FSH 2200 – Statement of Student Rights; FSH 2300 – Student Code of Conduct; FSH 2450 – Appeals to Faculty Senate in Disciplinary Cases; FSH 3215 – Non-Discrimination on the Basis of Sexual Orientation and Gender Identity/Expression; FSH 3220 – Sexual Harassment). [rev. 5-12]

A. DEFINITIONS.

A-1. “Gender-Based Harassment” includes acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

A-2. “Sexual Harassment” is unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual Violence is a form of Sexual Harassment.

A-3. “Sexual Violence” refers to physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent. A number of different acts fall within the definition of Sexual Violence, including but not limited to rape, sexual assault, sexual battery, and sexual coercion. All such acts of Sexual Violence are forms of Sexual Harassment.

A-4. “Educational Setting” refers to all the academic, educational, extracurricular, athletic and other programs of the University of Idaho, whether those programs take place in a University facility, at a University class or training program, or elsewhere.

B. REPORTING SEXUAL VIOLENCE.

For information and resources available for survivors of sexual violence, please see the Administrative Procedure Manual (APM) 95.20 at http://www.uihome.uidaho.edu/default.aspx?pid=120297

C. JURISDICTION.

In accordance with FSH 2100, the jurisdiction of University of Idaho disciplinary regulations shall expand to govern conduct when such off-campus conduct constitutes Sexual Harassment or Gender-Based Harassment that may have continuing adverse effects in the Educational Setting.

D. VIOLATIONS OF THE STUDENT CODE OF CONDUCT.
D. 1. Sexual Harassment and Gender-Based Harassment are violations of the Student Code of Conduct (see FSH 2300).

D. 2. Because campus security and safety are critical to the essential operation of the University, even a single violation of the Student Code of Conduct’s prohibition of Sexual Harassment or Gender-Based Harassment may merit expulsion.

E. CHARGES OF SEXUAL HARASSMENT OR GENDER BASED HARASSMENT.

E. 1. When the allegations in a student’s complaint include Sexual Harassment or Gender-Based Harassment, the Dean of Students office (“DOS”) must investigate the incident and take immediate steps to protect the complainant in the Educational Setting. This applies whether the alleged conduct occurred on or off campus.

E. 2. A preponderance of the evidence (more likely than not) standard will be used to evaluate allegations of Sexual Harassment or Gender-Based Harassment.

E. 3. The DOS may determine to temporarily delay fact-finding in an investigation regarding Sexual Harassment or Gender-Based Harassment while law enforcement authorities are gathering evidence; but once notified that law enforcement has completed gathering evidence, the DOS must promptly resume fact finding. The DOS may not await the ultimate outcome of a law enforcement investigation or the filing of charges before resuming or beginning fact finding.

E. 4. Both parties must be afforded similar and timely access to any information that will be used at the hearing, other than each party’s work product (or that of the party’s advisor), consistent with FERPA and other relevant laws, including any recognized privilege.

F. RIGHT TO A HEARING.

F. 1. The University Judicial Council (“UJC”) (see FSH 2400 B-2 & 1640.93) hearing shall be private when the matter involves charges of Sexual Harassment or Gender-Based Harassment.

F. 2. During a hearing involving charges of Sexual Harassment or Gender-Based Harassment, neither the accused student nor his or her representative will be permitted to directly question the complainant(s). Instead, such persons may submit written questions to the chair of the UJC (“Chair”), who will ask questions the Chair determines to be appropriate. [rev. 5-12]

G. TYPICAL TIMEFRAME OF THE PROCESS, (see FSH 2300 X). A typical timeframe for the complaint investigation and hearing procedure is as follows: (1) The University investigation of the complaint is generally completed within 60 calendar days following receipt of a complaint; (2) Both parties receive a response regarding the outcome of the complaint within 10 business days following the UJC’s decision; (3) Either party may appeal the UJC’s decision within 14 calendar days in accordance with the Appeals provision below. Both parties should receive periodic updates from the DOS. A number of factors may influence the timeframe of any particular complaint investigation and hearing procedure; this typical timeframe is
H. APPEALS. (see FSH 2450)

H-1. Either party has the right to appeal the decision of the UJC by notifying the Office of the Faculty Secretary to that effect in writing, within 14 calendar days following receipt by the party of the written decision of the UJC. Parties wishing to appeal must include valid contact information. Appeals may be sent to: Office of the Faculty Secretary, P.O. Box 441106, Moscow, ID 83844-1106.

H-2. A subsequent hearing before the UJC or another board as the result of an appeal by either party, shall not be considered a second “trial” for purposes of FSH 2200 IV(10).

H-3. This Section H specifically supersedes any contrary provision of FSH 2450, including, specifically, subsection D-10.

I. DISCLOSURE OF OUTCOME OF DISCIPLINARY PROCEEDING.

I-1. Both the complainant and the accused student will be notified, in writing, of the outcome of a complaint and any appeal. “Outcome” for these purposes means whether the harassment was found to have occurred. The University will only disclose information about the sanctions imposed when they directly relate to the harassed student, such as a sanction of no contact with the complainant.

I-2. When the allegations include a crime of violence or a non-forcible sex offense (as defined by FERPA, see APM 95.15), the University will disclose to the alleged victim of such crime or offense the final results of any disciplinary proceeding conducted by the University against a student who is an alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph. The University may disclose to anyone, upon written request, the final results of a disciplinary proceeding if the University determines that the student is an alleged perpetrator of a crime of violence or a non-forcible sex offense, and, with respect to the allegation made, the student has committed a violation of the institution’s rules or policies. “Final results” for these purposes means the name of the accused student, any violation found to have been committed, and any sanction imposed against the accused student by the University. [rev. 5-12, ed. 10-12]

I-3. When the allegations include a sex offense (as defined by FERPA, see APM 95.15), both the complainant and the accused student must be informed of the outcome of any institutional disciplinary proceeding (APM 95.20 G-2) brought against the accused student. “Outcome” for these purposes means the University’s final determination with respect to the alleged sex offense and any sanctions imposed against the accused student. [ed. 5-12, ed. 10-12]
POLICY COVER SHEET
(See Faculty Staff Handbook 1460 for instructions at UI policy website: www.webs.uidaho.edu/uipolicy)

Faculty/Staff Handbook [FSH] ☐ Addition ☐ Revision* ☐ Deletion* ☐ Emergency Minor Amendment ☐ x
Chapter & Title: Committee Directory – Univ. Judicial Council, FSH 1640.93

Minor Amendment ☐
Chapter & Title: 

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

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

Policy Sponsor: (If different than originator.) Committee on Committees Mar. 14, 2014
Telephone & Email:

Reviewed by General Counsel Yes No Name & Date:

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

To conform the UJC structure with changes to the student code of conduct package and to address the quorum requirements.

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

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

1620 (will require change to B-10), 2300, 2400

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

If not a minor amendment forward to: __________________

Policy Coordinator
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Date Rec.: ________________
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UNIVERSITY JUDICIAL COUNCIL (UJC)
STUDENT DISCIPLINARY REVIEW BOARD (SDRB)

[This section was removed from FSH 2400 and placed here in July 2008.]

A. FUNCTION. UI's student judicial disciplinary review system process for alleged violations of the Student Code of Conduct is established and maintained for the prosecution and handling of disciplinary matters concerning UI students (as "student" is defined in the preamble to the Statement of Student Rights [FSH 2300 I.A-6 and 2400 A-1]). Any and all matters consistent with the Student Code of Conduct [FSH 2300] and the Statement of Student Rights [FSH 2200] are handled by the system review process under the rules and regulations set out in FSH 2400.

B. STRUCTURE AND MEMBERSHIP. This committee SDRB is broadly representative of the academic community. The council SDRB consists of eleven members: (five faculty members, five undergraduate students and one graduate student). The faculty members are selected by the Committee on Committees. The five Undergraduate student members are appointed by the Associated Students University of Idaho (ASUI) President with the advice and consent of the ASUI Senate, and the graduate student is appointed by Graduate & Professional Student Association (GPSA). To allow SDRB members to gather a greater history of and confidence in the administrative disciplinary review process, a two-year term is recommended. To assure a quorum, alternates are appointed to the SDRB from a list of those who have previously served on the SDRB.

C. QUORUM. Five members, at least two of which must be students, constitute a quorum (see FSH 2400 C-5 a(1)) and a majority of those present shall decide a case. In case UJC is unable to convene a quorum as defined above, the ASUI president or the chair of the Faculty Senate may appoint persons to fill the designated student or faculty positions on a temporary basis. [ed. 7-09]

D. SPECIAL CONSIDERATION. Members serving on the University Judicial Council (UJCSDRB) should be aware that federal regulations governing the handling of disciplinary matters recommend a specific hearing time schedule. Therefore, committee SDRB members may need to be available for approximately two to four hours within as little as five days of a student being charged notified of the alleged with a violation of the Student Code of Conduct. [add. 1-14]
POLICY COVER SHEET
(See Faculty Staff Handbook 1460 for instructions at UI policy website:
www.webs.uidaho.edu/uipolicy)

[3/09]

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

Chapter & Title: University-Level Committee, FSH 1620

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

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

Originator(s): Sub-Committee UJC – Steve Shook
(Please see FSH 1460 C)
Telephone & Email: shook@uidaho.edu

Policy Sponsor: (If different than originator.) Committee on Committees Mar.
14, 2014
Telephone & Email: ytrberg@uidaho.edu
Sent 3/18/14 G Reviewed by General Counsel Yes No Name & Date: 

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

To conform to change in quorum requirements in University Judicial Council/Student Disciplinary Review Board which came about due to student code of conduct packet of policy changes.

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

III. Related Policies/Procedures: Describe other policies or procedures existing that are related or similar to this proposed change.
1640.93

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

If not a minor amendment forward to: ________________________________
Track # __UP-14-040__
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University of Idaho

University Faculty Meeting #3 - April 29, 2014 - Page 67
UNIVERSITY-LEVEL COMMITTEES

PREAMBLE: This section outlines the regulations governing university-level committees (Part B). It also includes a section on guidelines for committee chairs (Part C). In 2007 this section was substantially revised to reflect current process, in 2008 minor changes were made to B-2, 13 and C-13, and in 2010 Faculty Council was changed to Faculty Senate and B-7 was revised to address chair appointments.

For further information, contact the Office of the Faculty Secretary (208-885-6151).

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

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

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

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

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

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

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

B-5. In selecting staff members to serve, the Committee on Committees seeks nominations from the Staff Affairs Committee, which considers expressions of interest by employees to serve on various committees and the qualifications of employees with reference to existing committee vacancies. Approved service by staff members on university committees is considered a valuable service to UI, within the scope and course of employment. Provided the staff employee can be released from regular duties, time spent in committee service is not charged against the employee’s annual leave or compensatory time balances, and the
employee is not expected to make up time away from normal duties for committee service. (In cases where staff employees are elected to serve, e.g., on the Staff Affairs Committee itself, it is expected that the employee will first secure the consent of his or her supervisor before becoming a candidate.)

B-6. Ordinarily, no faculty committee will be chaired by an officer who is substantially responsible for implementing the policies or recommendations developed by the committee.

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

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

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

B-10. Students are to be represented, if they so desire, on faculty committees that deal with matters affecting them. Except for student members of the Faculty Senate, the Committee on Committees receives nominations from the ASUI, GPSA and SBA to fill positions established for student members of faculty committees. [See 1640.] If, 21 days after the first day of classes of the fall semester, nominations have not been submitted to fill student positions, the committees on which the vacancies exist are authorized to disregard the vacant student positions in determining a quorum. [With the exception of the University Judicial Council (FSH 1640.93).] [rev. 1-07, 1-14, ed. 7-10]

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

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

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

B-14. Proxy votes are not permitted in committees under the jurisdiction of the university faculty or of the Faculty Senate. [ren. 1-07, ed. 7-10]
B-15. Unless otherwise provided, assignments to faculty committees begin on the official opening date of the academic year, whichever is earlier. [ren. and rev. 1-07]

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

a. Meetings of university-level committees, committees of the colleges, divisions, subdivisions, and other UI units, and ad hoc committees, however created, are open to the public with the exception of those meetings, or those parts of meetings, that deal with confidential employee or student matters, [see B-16-d]. [ed. 7-00, rev. 1-07]
b. Observers may speak only by invitation of the chair.
c. Observers may use their own tape recorders or other recording devices. Also, they will be provided a copy of any recordings made by the committee, if they request a copy through regular channels and pay the full costs involved in making the copy.
d. An exception to the exception stated in B-16-a is permitted in hearings on appeals when the appellant demands in writing before the hearing board’s first meeting that the hearing be open to the public; nevertheless, the chair of the hearing board has the power to close the hearing to the public if, in the chair’s opinion, the atmosphere becomes detrimental to the orderly conduct of the proceeding. Moreover, the chair has the power to exclude prospective witnesses from the hearing until they have testified. [ed. 1-07]

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

C-14. Call on the Office of the Faculty Secretary for information and assistance concerning points not fully covered in these guidelines. [ren. 1-07]
I. Policy/Procedure Statement: Briefly explain the purpose/reason of proposed addition, revision, and/or deletion to the Faculty/Staff Handbook or the Administrative Procedures Manual.

1. Address “up or out” situation for instructors who must be promoted to Senior Instructor after three years, created from current language in 1565 D-1 b (last sentence limited instructors to 15%) and FSH 3560 – D-1 which states an instructor “must” go up for promotion.

2. Adjust the 15% “cap” up to 25%, or lower if unit by-laws permit. Applies to instructors, senior instructors and lecturers (who qualify for voting privileges), and thereby removes policy language currently being violated.

3. Move promotion/review language D-1 & D-9 to Promotion policy FSH 3560.

4. Address the misconception that anyone with instructor in their title qualifies under FSH 1520 II Section 1 – having faculty vote. The title of Instructor should only be used for those ranks described in FSH 1565 D-1.

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

None

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

This change also affects 3560 D-1

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

If not a minor amendment forward to: ____________________________

Policy Coordinator
Appr. & Date: __________
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APM
F&A Appr. : __________
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FSH
Appr. : __________
FC : __FS-14-036__
GFM : __________
Pres./Prov. : __________
[Office Use Only]

Track #: __UP-14-039__
Date Rec.: 3/10/14
Posted: t-sheet : __________
h/c : __________
web : __________
Register: __________
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PREAMBLE: This section defines the various academic ranks, both faculty and non-faculty (e.g. graduate student appointees and postdoctoral fellows), and their responsibilities. Subsections A, C, D, E, F, and I should be read in conjunction with the policy and procedures concerning granting of tenure and promotions in rank which are contained in 3520 and 3560 (subsection I only in conjunction with 3560). Most of the material assembled in this section was a part of the original 1979 Handbook. The material in section I was added July, 1987. The definitions of 'postdoctoral fellow' (J-5), 'graduate assistant' (K-3) and 'research fellow' (K-4) were revised in July 1996. Section J-1, voting rights for lecturers, was changed in July 2001. Section A was substantially revised in July 1994, so as to underline better the importance of both teaching and scholarship. At that time the so-called “Voxman Amendment” (the addition of ‘in the classroom and laboratory’ to the list of possible venues wherein the evaluation of scholarship might take place) made its first appearance. Section A underwent additional substantial revision in July 1998 and July 2006, always with the hope of creating greater clarity in a complex subject. Extensive revisions along those same lines were made to B (entirely new and in 2008 B was moved to 3570), C, D, and E, in July 1998. Further, less extensive revisions were made to C-1, D-1, and E-1 in July 2000. In July 2008, this section was reorganized to better reflect classifications as stated in FSH 1520 Article II, no substantive changes were made to policy. In 2009 changes to the faculty position description and evaluation forms integrating faculty interdisciplinary activities into the evaluation processes were incorporated into this policy as of January 2010. Ranks for Associated Faculty in F were removed because the promotion process as detailed in 3560 for faculty ranks was deemed excessive for associated faculty. Those currently holding a specific rank in adjunct or affiliate will retain that privilege. In July 2010 the affiliate and adjunct terms were switched to conform to national norms and rank of Distinguished Professor was added. In July 2011 voting for associated faculty was clarified and Clinical Faculty under “G. Temporary Faculty” moved to “D. University Faculty” as D-9 and was revised. In July 2012 edits were made to the Distinguished Professor under D-8 and to the qualifications for Emeritus status and a search waiver under E. Further information may be obtained from the Provost’s Office (208-885-6448). [rev. 7-98, 7-00, 7-01, 7-06, 1-08, 7-08, 1-10, 7-10, 7-11, 7-12]

CONTENTS
A. Introduction [rev. 7-98]
B. Definitions
C. Responsibility Areas
D. University Faculty
E. Emeriti
F. Associated Faculty
G. Temporary Faculty
H. Non-Faculty
I. Qualification of Non-faculty Members for Teaching UI Courses

A. INTRODUCTION. [rev. 7-98]

A-1. The principal functions of a university are the preservation, advancement, synthesis, application, and transmission of knowledge. Its chief instrument for performing these functions is its faculty, and its success in doing so depends largely on the quality of its faculty. The University of Idaho, therefore, strives to recruit and retain distinguished faculty members with outstanding qualifications.

In order to carry out its functions and to serve most effectively its students and the public, the university supports the diversification of faculty roles. Such diversification ensures an
optimal use of the university’s faculty talents and resources. [rev. 7-06]

Diversification is achieved through developing a wide range of faculty position descriptions that allow the faculty to meet the varying responsibilities placed upon the institution, both internally and externally. No more than 15-25 percent, or a lower limit as defined by the department or similar unit’s by-laws, of the faculty positions in any department or similar unit may be held by instructors, senior instructors, and lecturers who have voting privileges under FSH 1520 II, Section 1.; however, each such unit may appoint one person to this rank without regard to this limitation. While the capabilities and interests of the individual faculty members are to be taken into account, it is essential that individual faculty position descriptions are consonant with carrying out the roles and mission of the university, the college, and the unit. Annual position descriptions are developed by the unit head in consultation with the unit faculty and with the incumbent or new faculty member. In each college, all position descriptions are subject to the approval of the dean and must be signed by both unit head and faculty member. If the faculty member, unit head, and dean are unable to reach agreement on the position description, the faculty member may appeal the unit head’s decision to the Faculty Appeals Hearing Board [FSH 3840]. [ed. 1-10]

As indicated in Sections 3320-A-1-d, 3520-G-3, 3560-B, faculty performance evaluations that are used for yearly, third year and periodic reviews as well as for promotion, tenure, and post-tenure reviews are to be based on faculty members’ annual position descriptions (FSH 3050). Each unit will develop criteria in its by-laws for promotion and review of its faculty (FSH 1520 II, Section 1). The committee for all reviews will be defined in unit by-laws and shall include tenure track faculty (see FSH 3560 E-2 c). [fed. 1-08, 7-10]

Faculty members shall conduct themselves in a civil and professional manner (see FSH 3160 and 3170).

B. DEFINITIONS: [add. 1-10]

B-1. Advancement: focuses on fostering relationships, building partnerships, creating awareness and generating support with alumni, donors, leaders, business partners, legislators and the community for the university’s mission in academics, scholarship and outreach (see the office of University Advancement at http://www.uidaho.edu/givetoidaho/meetourpeople/universityadvancementvpoffice.aspx).

B-2. Cooperative education: a structured educational strategy that blends classroom studies with learning through productive work experiences. It provides progressive experiences for integrating theory and practice. Co-op education (including internships and externships) is a partnership between students, educational institutions and employers, with specified responsibilities for each party.

B-3. Distance education: the process through which learning occurs when teachers, students, and support services are separated by physical distance. Technology, sometimes in tandem with face-to-face communication, is used to bridge the distance gap.

B-4. Extension Service: Extension is an outreach activity that generally involves non-formal educational programs that transfer knowledge from the university to help improve people’s lives through research in areas like agriculture and food, environment and natural resources, families and youth, health and nutrition, and community and economic development.

B-5. Extramural Professional Service: refers to activities that extend service beyond
the university and can include elements of service, outreach, scholarship, and/or teaching.

**B-6. Interdisciplinary:** “an activity that involves teams or individuals that integrates information, data, techniques, tools, perspectives, concepts, and/or theories from two or more disciplines or bodies of specialized knowledge to advance fundamental understanding or to solve problems whose solutions are beyond the scope of a single discipline or field of research practice.”

**B-7. Professional Development:** a learning process that expands the capacity of the faculty member to advance in the responsibilities as defined in his/her position description and aligns with the university’s goals. Examples include but are not limited to participation in conferences, continuing professional education (including credit and noncredit courses) and other activities that enhance a faculty member’s expertise and ability.

**B-8. Service learning:** an activity that integrates student learning with service and civic engagement to meet real community needs and achieve learning outcomes. Service-learning can be used in curricular settings (i.e. academic courses) or co-curricular settings, (e.g. ASUI’s volunteer/civic engagement programs).

**B-9. Technology transfer:** a process through which knowledge, technical information, and products developed through various kinds of scientific, business, and engineering research are provided to potential users. Technology transfer encourages and accelerates testing and using new knowledge, information and products. The benefit of technology transfer may occur either at the community (public) or firm (private) level.

**B-10. Unit Administration:** includes assisting higher administration in the assignment and in the evaluation of the services of each member of the unit’s faculty and staff; promoting effective leadership of personnel and management of unit resources; providing leadership in the development and implementation of unit plans; providing for open communication with faculty and staff; fostering excellence in teaching, scholarship and outreach for faculty, students, and staff in the unit; effectively representing all constituents of the unit; and continuing personal professional development in areas of leadership.

**C. RESPONSIBILITY AREAS:** Faculty members are expected to contribute in each of the four major responsibility areas (C-1 through C-4 below). Expectations are more specifically defined in the individual position description and are consistent with unit by-laws. Each responsibility area may include activities in advancement, extramural professional service, interdisciplinary, and/or professional development. [add: 1-10]

**C-1. TEACHING AND ADVISING:** The university’s goal is to engage students in a transformational experience of discovery, understanding and global citizenship. Faculty achieve this goal through effective instructing, advising and/or mentoring of students. [add: 1-10]

a. **Instruction:** Effective teaching is the foundation for both the advancement and transmission of knowledge. The educational function of the university requires the appointment of faculty members devoted to effective teaching. Teaching may take many different forms and any instruction must be judged according to its central purposes. Active participation in the assessment of learning outcomes is expected of all faculty at the course, program, and university-wide levels. Individual colleges and units have the responsibility to determine appropriate teaching loads for faculty.

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1 National Academy of Science
position descriptions. Teaching appointments must be reflected by hours and level of effort spent in teaching activity, and justified in position descriptions. Any adjustments to a teaching appointment (e.g. teaching unusually large classes, team-teaching, teaching studios or laboratories, intensive graduate or undergraduate student mentoring, technology-enhanced teaching, and others) must be documented in the position description. [rev. 7-06, ed. 1-10]

The validation of instruction may include Student Evaluations of Teaching (SETs), peer evaluations, self assessment, documentation of effective or innovative teaching, teaching recognition and awards, and teaching loads. [add. 1-10]

b. Advising and/or Mentoring Students: Advising students is also an important faculty responsibility and a key function of academic citizenship. Student advising may include: (1) overseeing course selection and scheduling; (2) seeking solutions to conflicts and academic problems; (3) working with students to develop career goals and identify employment opportunities; (4) making students aware of programs and sources for identifying employment opportunities, (5) facilitating undergraduate and graduate student participation in professional activities (e.g. conferences, workshops, demonstrations, applied research); and (6) serving as a faculty advisor to student organizations or clubs. Advising also includes attendance at sessions (e.g. workshops, training courses) sponsored by the university, college, unit, or professional organizations to enhance a faculty member’s capacity to advise. [add. 7-06, rev. 1-08, ed. 1-10]

Effective advising performance may be documented by: (1) the evaluation of peers or other professionals in the unit or college; (2) undergraduate or graduate student advisees’ evaluations; (3) level of activity and accomplishment of the student organization advised; (4) evaluations of persons being mentored by the candidate; (5) number of undergraduate and graduate students guided to completion; and (6) receiving awards for advising, especially those involving peer evaluation. [add. 7-06, ed. 1-10]

C-2. SCHOLARSHIP AND CREATIVE ACTIVITIES: Scholarship is creative intellectual work that is communicated and validated. The creative function of a university requires the appointment of faculty members devoted to scholarship and creative activities. The university promotes an environment that increases faculty engagement in interdisciplinary scholarship. The university’s Carnegie designation as “research university high” fosters an emphasis on scholarly and creative activities. [rev. 1-10]

Scholarship and creative activities take diverse forms and are characterized by originality and critical thought. Both must be validated through internal and external peer review or critique and disseminated in ways having a significant impact on the university community and/or publics beyond the university. Both are ongoing obligations of all members of the faculty. [rev. 7-06, 1-10]

The basic role of a faculty member at the University of Idaho is to demonstrate and validate continuing sound and effective scholarship in the areas of teaching and learning, artistic creativity, discovery, integration, and outreach/application/engagement. While these areas may overlap, these distinctions are made for purposes of defining position descriptions and for developing performance standards. Units and colleges shall adopt criteria for the evaluation of scholarship and creative activities. Demonstrated excellence that is focused in only one of these scholarship and creative activity areas is acceptable if it is validated and judged to be in the best interests of the institution and the individual faculty member. [rev. 7-06, 1-10]
a. Scholarship in Teaching and Learning: can involve classroom action research (site-specific pedagogy), qualitative or quantitative research, case studies, experimental design and other forms of teaching and learning research. It consists of the development, careful study, and validated communication of new teaching or curricular discoveries, observations, applications and integrated knowledge and continued scholarly growth. Evidence that demonstrates this form of scholarship might include: publications and/or professional presentations of a pedagogical nature; publication of text books, laboratory manuals, or educational software; advancing educational technology; presentation in workshops related to teaching and learning; development and dissemination of new curricula and other teaching materials to peers; and individual and/or collective efforts in securing and carrying out education grants. [ed. 7-00, rev. 7-06]

The validation of scholarship in the area of teaching and learning is based in large measure on evaluation by the faculty member’s peers both at the University and at other institutions of higher learning. [rev. 7-06]

b. Scholarship in Artistic Creativity: involves validated communication and may be demonstrated by significant achievement in an art related to a faculty member’s work, such as musical composition, artistic performance, creative writing, mass media activity, or original design. [rev. 7-06, 1-10]

The validation of scholarship in the area of artistic creativity is based in large part on the impact that the activity has on the discipline and/or related fields as determined by the peer review process. Many modes of dissemination are possible depending on the character of the art form or discipline. For example, a published novel or book chapter for an anthology or edited volume or similar creative work is regarded as scholarship. Each mode of dissemination has its own form of peer review that may include academic colleagues, practitioner or performance colleagues, editorial boards, and exhibition, performance, or competition juries. [rev. 7-06]

c. Scholarship in Discovery: involves the generation and interpretation of new knowledge through individual or collaborative research. It may include: novel and innovative discovery; analyzing and synthesizing new and existing knowledge and/or research to develop new interpretations and new understanding; research of a basic or applied nature; individual and collaborative effort in securing and carrying out grants and research projects; membership on boards and commissions devoted to inquiry; and scholarly activities that support the mission of university research centers. [rev. 7-06]

Evidence of scholarship in this area may include: publication of papers in refereed and peer reviewed journals; published books and chapters; published law reviews; citation of a faculty member’s work by other professionals in the field; published reviews and commentary about a faculty member’s work; invited presentations at professional meetings; seminar, symposia, and professional meeting papers and presentations; direction and contribution to originality and novelty in graduate student theses and dissertations; direction and contribution to undergraduate student research; awards, scholarships, or fellowships recognizing an achievement, body of work, or career potential based on prior work; appointment to editorial boards; and significant scholarly contributions to university research centers. The validation of scholarship in the area of discovery is based on evaluation by other professionals in the faculty member’s discipline or sub-discipline. [rev. 7-06]

d. Scholarship of Integration: often interdisciplinary and at the borders of
converging fields, is the serious, disciplined work that seeks to synthesize, interpret, contextualize, critically review, and bring new insights into, the larger intellectual patterns of the original research. Similar to the scholarship of discovery, the scholarship of integration can also seek to investigate, consolidate, and synthesize new knowledge as it integrates the original work into a broader context. It often, but not necessarily, involves a team or teams of scholars from different backgrounds working together, and it can often be characterized by a multidisciplinary or interdisciplinary investigative approach. The consolidation of knowledge offered by the scholarship of integration has great value in advancing understanding and isolating unknowns. Beyond the differences, the scholarship of integration can include many of the activities of scholarship of discovery and thus may be rigorously demonstrated and validated in a similar manner. [add. 7-06]

e. **Scholarship of Outreach/Application/Engagement:** These activities apply faculty members’ knowledge and expertise to issues that impact individuals, communities, businesses, government, or the environment. Examples may include economic development, environmental sustainability, stimulation of entrepreneurial activity, integration of arts and sciences into people’s lives, enhancement of human well being, and resolution of societal problems. Like other forms of scholarship and creative activities, the scholarship of outreach/application/engagement involves active communication and validation. Examples of validation may include (but are not limited to): peer reviewed or refereed publications and presentations; patents, copyrights, or commercial licensing; adoption or citation of techniques as standards of practice; invited presentation at a seminar, symposium or professional meeting; and citations of the faculty member’s work. [add. 7-06, rev. 1-10]

**C-3. OUTREACH and EXTENSION:** Outreach activities are originated by every unit on UI’s Moscow campus and from each of the University’s physical locations around the state. [add. 1-10]

Outreach includes a wide variety of activities including, but not limited to, (a) extension (see 1565 B); (b) teaching, training, certification, and other dissemination of information to the general public, practitioner, and specialty audiences; (c) volunteer development and establishment/maintenance of relationships with private and public organizations; and (d) unpaid extramural consultation and other professional services to individuals, organizations, and communities. Delivery mechanisms include distance education, service learning, cooperative education, technology transfer, noncredit courses, and publications. Most of the examples provided, such as distance education, are not exclusively outreach. Instead, they lie at the intersection of outreach and teaching or research. Likewise, professional services may be associated with teaching, scholarship, or university service and leadership. A faculty member’s position description specifies where his or her outreach activities will be counted. [rev. 1-10]

Evidence of effective outreach activities may include, but are not limited to, (1) documentation of the process by which needs were identified and what steps were taken to deliver carefully planned and implemented programs; (2) numbers of individuals and types of audiences affected; (3) evaluation by participants in outreach activities; (4) other measures of significance to the discipline/profession, state, nation, region and/or world; (5) quantity and quality of outreach publications and other mass-media outlets; (6) evaluation of the program’s effects on participants and stakeholders; (7) awards, particularly those involving peer evaluation; (8) letters of commendation from individuals within organizations to whom service was provided; (9) service in a leadership role of a professional or scientific organization as an officer or other significant position; and (10) other evidence of professional service oriented projects/outputs. [rev. 1-10]
C-4. UNIVERSITY SERVICE AND LEADERSHIP: The university seeks to create formal and informal organizational structures, policies, and processes that enable the university community to be effective, while also fostering a climate of participatory decision making and mutual respect. [add. 1-10]

a. Intramural service is an essential component of the University of Idaho mission and is the responsibility of faculty members in all units. Service by members of the faculty to the university in their special capacities as scholars should be a part of both the position description and annual performance review. [add. 7-06, rev. 1-08, ed. 1-10]

Within the university, intramural service includes participation in unit, college, and university committees, and any involvement in aspects of university governance and academic citizenship. University, college, and unit committee leadership roles are seen as more demanding than those of a committee member or just regularly attending faculty meetings. Because faculty members play an important role in the governance of the university and in the formulation of its policies, recognition should be given to faculty members who participate effectively in faculty and university governance. Intramural service can include clinical service, routine support, and application of specialized skills or interpretations, and expert consultancies. The beneficiaries of these forms of service can be colleagues and co-workers. [rev. 1-10]

Effective performance in intramural service may be documented by a variety of means. Examples include: (1) letters of support from university clientele to whom your service was provided; (2) serving as a member or chairperson of university, college, or unit committees; and (3) receiving University service awards, especially those involving peer evaluation. [rev. 1-10]

b. Administration:

(1) Unit Administration (see FSH 1565 B): FSH 1420 E describes the responsibilities and the selection and review procedures for unit administrators. Unit administration is not normally considered in tenure and promotion deliberations; it is accounted for insofar as expectations are proportionally adjusted in the other sections of the position description. For faculty in nonacademic units (e.g. faculty at large), administration may be considered in tenure and promotion deliberations. [add. 7-06, rev. 1-10]

(2) Other: Effective conduct of university programs requires administrative activities that support scholarship, outreach and teaching. Program support activities are to be noted in position descriptions and performance reviews. The role of the principal or co-investigator of a university program or project may include the following administrative responsibilities: (1) budgetary and contract management; (2) compliance with University purchasing and accounting standards; (3) supervision and annual review of support personnel; (4) purchasing and inventory management of goods; (5) graduate student and program personnel recruitment, training in University procedures/policies, and annual review; (6) collaborator coordination and communication; (7) management of proper hazardous waste disposal; (8) laboratory safety management; (9) authorization and management of proper research animal care and use; (10) authorization and management of human subjects in research; (11) funding agency reporting; (12) intellectual property reporting; and (13) compliance with local, state, and federal regulation as well as University research policy. [add. 7-06, rev. 1-10]
Demonstration of effective administration, may be documented by a variety of means. Examples include: (1) compliance with applicable rules, standards, policies, and regulations; (2) successful initiation, conduct and closeout of research contracts and grants as evidenced by timely reporting and budget management; (3) completion of the research contract or proposal scope-of-work; organized program operations including personnel and property management. Documentation of effective university program operation, beyond scholarship, may also include input by graduate and undergraduate students participating in the university program; and input by collaborators, cooperators, funding agency and beneficiaries of the program. Documentation of effective administration may include evaluations by faculty and staff, as well as objective measures of performance under the incumbent’s leadership. [add. 7-06, rev. 1-10]

D. UNIVERSITY FACULTY (FSH 1520 Article II):

D-1. INSTRUCTOR: Instructors may be appointed for the purpose of performing practicum, laboratory, or classroom teaching. Appointment to instructor constitutes a recognition of the appointee’s scholarly contributions and professional accomplishments, and confers responsibilities and privileges as stated below. To avoid confusion over university faculty (those who have voting rights per FSH 1520 II, Section 1) the title of Instructor shall not be used in any other university position.

a. Instructor. Appointment to this rank requires proof of advanced study in the field in which the instructor will teach, the promise of teaching effectiveness, and satisfactory recommendations. Instructors have charge of instruction in assigned classes or laboratory sections under the general supervision of the departmental administrator. When they are engaged in teaching classes with multiple sections, the objectives, content, and teaching methods of the courses will normally be established by senior members of the faculty or by departmental committees. Instructors are expected to assist in the general work of the department and to make suggestions for innovations and improvements.

b. Senior Instructor. Appointment to this rank requires qualifications that correspond to those for the rank of instructor and evidence of outstanding teaching ability. Instructors are promotable to senior instructor [see FSH 3560]. Effective teaching is the primary responsibility of anyone holding this rank and this primary responsibility is weighted accordingly in the annual performance evaluation and when a senior instructor is being considered for tenure. Except in very rare instances, this rank is considered terminal (i.e., it does not lead to promotion to the professorial ranks and there is no limitation on the number of reappointments). Prospective appointees to the rank of senior instructor must be fully informed of its terminal nature. No more than 15 percent of the positions in any department or similar unit may be held by senior instructors; however, each such unit may appoint one person to this rank without regard to this limitation.

c. Promotion and Review. Each unit will develop criteria for promotion and review of its instructors. The promotion process will be consistent with that followed by the unit, college and university for tenure track faculty (see FSH 3560). Instructors will be reviewed at a minimum of every 5 years, or earlierthereafter, as determined by the unit’s by-laws. The committee for third-year review, periodic review and promotion and review, as defined by the unit’s bylaws, shall include tenure-track faculty within the unit.

D-2. FACULTY:
a. **Assistant Professor.** Appointment to this rank normally requires the doctorate or appropriate terminal degree. In some situations, however, persons in the final stages of completing doctoral dissertations or with outstanding talents or experience may be appointed to this rank. Evidence of potential effective teaching and potential scholarship in teaching and learning, artistic creativity, discovery, and outreach/application/engagement is a prerequisite to appointment to the rank of assistant professor. Appointees in this rank have charge of instruction in assigned classes or laboratories and independent or shared responsibility in the determination of course objectives, methods of teaching, and the subject matter to be covered. Assistant professors are expected to demonstrate the ability to conduct and direct scholarly activities, and to provide intramural and extramural professional service. [1565 C] [rev. 7-98, 7-00, 1-10, ed. 7-12]

b. **Associate Professor.** Appointment or promotion to this rank normally requires the doctorate or appropriate terminal degree. In some situations, however, persons with outstanding talents or experience may be appointed or promoted to this rank. Associate professors must have demonstrated maturity and conclusive evidence of having fulfilled the requirements and expectations of the position description. An appointee to this rank will have demonstrated effective teaching or the potential for effective teaching, the ability to conduct and direct scholarly activities in his or her special field, and provide service to the university and/or his or her profession. Evidence of this ability includes quality publications or manuscripts of publishable merit; and/or unusually productive scholarship in teaching and learning; and/or significant artistic creativity; and/or major contributions to the scholarship of outreach/application/engagement. Associate professors generally have the same responsibilities as those of assistant professors, except that they are expected to play more significant roles in initiating, conducting, and directing scholarly activities, and in providing intramural and extramural professional service. [1565 C] [rev. 7-98, 1-10, rev. and ren. 7-00]

c. **Professor.** Appointment or promotion to this rank normally requires the doctorate or appropriate terminal degree. A professor should have intellectual and academic maturity, demonstrated effective teaching or the potential for effective teaching and the ability to organize, carry out, and direct significant scholarship in his or her major field. A professor will have made major scholarly contributions to his or her field as evidenced by several quality publications and/or highly productive scholarship in one or more of the areas of teaching and learning, discovery, artistic creativity, and outreach/application/engagement. Professors have charge of courses and supervise research, and are expected to play a major role of leadership in the development of academic policy, and in providing intramural and extramural professional service. [1565 C] [rev. 7-98, 1-10, rev. and ren. 7-00]

**D-3. RESEARCH FACULTY:**

a. **Assistant, Associate and Professor.** Appointment to these ranks requires qualifications, except for teaching effectiveness, that correspond to their respective ranks as for faculty in D-2 above. [ed. 7-12]

**D-4. EXTENSION FACULTY:**

a. **Extension Faculty with Rank of Instructor.** Appointment to this rank requires: sound educational background and experience for the specific position; satisfactory standard of scholarship; personal qualities that will contribute to success in an extension role; evidence of a potential for leadership, informal instruction, and the
development of harmonious relations with others. [rev. 7-98]

b. Extension Faculty with Rank of Assistant Professor. Appointment to this rank requires a master’s degree along with the qualifications of extension faculty with rank of instructor and: demonstrated leadership ability in motivating people to analyze and solve their own problems and those of their communities; evidence of competence to plan and conduct an extension program; a record of effectiveness as an informal instructor and educational leader; proven ability in the field of responsibility; evidence of continued professional growth through study and participation in workshops or graduate training programs; acceptance of responsibility and participation in regional or national training conferences; membership in appropriate professional organizations, and scholarship in extension teaching or practical application of research; demonstrated ability to work in harmony with colleagues in the best interests of UI and of the people it serves. [rev. 7-98]

c. Extension Faculty with Rank of Associate Professor. In addition to the qualifications required of extension faculty with rank of assistant professor, appointment or promotion to this rank requires: achievement of a higher degree of influence and leadership in the field; continued professional improvement demonstrated by keeping up to date in subject matter, extension teaching methods, and organization procedures; progress toward an advanced degree if required in the position description; demonstrated further successful leadership in advancing extension educational programs; evidence of a high degree of insight into county and state problems of citizens and communities in which they live, and the contribution that education programs can make to their solution; an acceptance of greater responsibilities; a record of extension teaching or practical application of research resulting in publication or comparable productivity; a reputation among colleagues for stability, integrity, and capacity for further significant intellectual and professional achievement. These activities may occur in a domestic or international context. [rev. 7-98, ed. 1-10]

d. Extension Faculty with Rank of Professor. In addition to the qualifications required of extension faculty with rank of associate professor, appointment or promotion to this rank requires: regional or national recognition in the special professional field or area of responsibility; a record of successful organization and direction of county, state, or national programs; an outstanding record of creative extension teaching or practical application of research resulting in significant publications or comparable scholarship; active membership and effective participation in professional committee assignments and other professional organization activities; demonstrated outstanding competence in the field of responsibility; achievement of full maturity as an effective informal teacher, wise counselor, leader of extension educational programs, and representative of the university. These activities may occur in a domestic or international context. [rev. 7-98, ed. 1-10]

D-5. LIBRARIAN:

a. Librarian with Rank of Instructor. Appointment to this rank requires an advanced degree in library science from a library school accredited by the American Library Association and: (a) evidence of potential for successful overall performance and for development as an academic librarian; (b) when required for specific positions (e.g., cataloger, assistant in a subject library), knowledge of one or more subject areas or pertinent successful experience in library work.
b. Librarian with Rank of Assistant Professor. Appointment to this rank requires the qualifications for librarian with rank of instructor and: (a) demonstrated ability, competence, and effectiveness in performing assigned supervisory-administrative, specialized public service, or technical service responsibilities; (b) demonstrated ability to establish and maintain harmonious working relationships with library colleagues and other members of the university community; (c) evidence of professional growth through study; creative activity; participation in workshops, conferences, seminars, etc.; participation in appropriate professional organizations; awareness of current developments in the profession and ability to apply them effectively in the area of responsibility; (d) service to the library, university, or community through committee work or equivalent activities.

c. Librarian with Rank of Associate Professor. Appointment or promotion to this rank requires the qualifications applicable to the lower ranks of librarians and: (a) acceptance of greater responsibilities, and conclusive evidence of success in the performance of them, e.g., bibliographical research performed in support of research activities of others; development of research collections; the preparation of internal administrative studies and reports; interpreting, and facilitating effective use of, the collections; effectively applying bibliographic techniques for organizing library collections; effective supervision of an administrative unit; (b) evidence of further professional growth, as demonstrated by keeping up to date in subject matter, methods, and procedures and by practical application of research resulting in significant improvement of library operations or in publication; effective participation in the work of appropriate professional organizations; and/or formal study, either in library science or in pertinent subject areas; (c) evaluation by colleagues as a person of demonstrated maturity, stability, and integrity, with the capacity for further significant intellectual and professional achievement. These activities may occur in a domestic or international context. [ed. 1-10]

d. Librarian with Rank of Professor. Appointment or promotion to this rank requires the qualifications applicable to the lower ranks of librarians and: (a) demonstrated outstanding competence in the area of responsibility; (b) achievement of an outstanding record of creative librarianship, of effective administration, or of practical application of research resulting in significant publications or comparable productivity; (c) an additional degree in library science or in a pertinent subject area or equivalent achievement; (d) regional or national recognition for contributions to the profession based on publications or active and effective participation in the activities of professional organizations; (e) evaluation by colleagues as an effective librarian who will continue to recognize that optimum productivity is a reasonable personal goal. These activities may occur in a domestic or international context. [ed. 1-10]

D-6. PSYCHOLOGIST OR LICENSED PSYCHOLOGIST:

a. Psychologist with Rank of Instructor. Appointment to this rank requires: an advanced degree in counseling, counseling psychology, clinical psychology, or closely related field earned in a professional program accredited by the appropriate accrediting association; evidence of effective skills in counseling or therapy; and evidence of pursuit of a terminal degree.

b. Psychologist or Licensed Psychologist with Rank of Assistant Professor. Appointment to this rank requires the qualifications for psychologist with rank of instructor and: a doctoral or equivalent terminal degree; evidence of effective skills in counseling or therapy; awareness of current developments in the profession; and demonstrated potential for participation in appropriate professional organizations,
service to the Counseling and Testing Center, the university, and the community through teaching, committee membership, or equivalent activities, and the development and execution of research projects or the development and execution of outreach services designed to benefit UI students.

c. Licensed Psychologist with Rank of Associate Professor. Appointment or promotion to this rank requires the qualifications applicable to the lower ranks of psychologists and: possession of a license as a psychologist in the state of Idaho; evidence of continued development of skills in counseling or therapy, as demonstrated by attendance at training workshops, personal study that leads to the presentation of workshops, classes, or seminars, or private study that leads to in-service training of personnel of the Counseling and Testing Center; evidence of continued professional development through service in professional organizations; evidence of effective teaching or training; completion of research that has resulted in quality publications or manuscripts of publishable merit, or the design and implementation of a continuing program in the Counseling and Testing Center that is of benefit to UI students and represents professional achievement of publishable merit; and continued service to the university and community through committee work or participation in community organizations. These activities may occur in a domestic or international context. [ed. 1-10]

d. Licensed Psychologist with Rank of Professor. Appointment or promotion to this rank requires the qualifications applicable to the lower ranks of psychologists and: demonstration of outstanding competence in counseling or therapy; establishment of an outstanding record in research and publication or in development of continuing programs that contribute to the betterment of university students; continued professional improvement through private study, directed study, or attendance at workshops, conventions, etc.; regional or national recognition for contributions to the profession through publication, presentation of workshops, or active and effective participation in the activities of professional organizations; and recognition by colleagues as an effective psychologist who realizes that optimum productivity is a reasonable personal goal. These activities may occur in a domestic or international context. [ed. 1-10]

D-7. OFFICER-EDUCATION: Appointment of persons to the faculties of the officer education programs was established for the purpose of ensuring the academic soundness of the programs. The dual role of these faculty members as military officers and academic instructors is recognized. The university expects the nominees to have demonstrated academic and intellectual capabilities and exemplary professional achievement. Specifically, UI expects: [ed. 1-10]

a. Academic Preparation. It is desirable for officer education faculty members to have at least a master’s degree. In his or her most recent education, the officer should have a superior academic record as demonstrated by such measures as high grade-point average in graduate school, being in the upper half of the class in graduate school, or superior graduate-level ability as attested in letters of recommendation from graduate-school professors. [ed. 1-10]

b. Specialized Preparation. The officer must have significant education, experience, or formal preparation in the subject areas in which he or she will teach.

c. Military Background and Preparation. A junior officer is expected to have had significant professional performance and experience. It is also desirable that the officer have some formal military education beyond commissioning. A senior officer should have broad experience with excellent performance. He or she is expected to
have attended a junior or senior military college and to have made a distinguished record there.

d. **Teaching.** It is desirable for officers to have had some teaching experience. It is recognized that this is not always possible for junior officers. For such an officer, there should be some evidence that he or she will become a satisfactory teacher. Heads of officer education programs are expected to be experienced instructors.

e. Nominees who will pursue graduate studies at UI for one year before becoming an instructor will be given preliminary approval. In their last semester of full-time graduate enrollment, the service should submit the required information to the Officer Education Committee for regular, final approval. For preliminary approval, the officer should, in addition to the military requirement, show promise of being successful in graduate studies. This could be demonstrated by (a) a high score on the Graduate Record Examination, if taken, (b) full enrollment status as a graduate student at UI, (c) a high overall grade-point average in college (3.00 or above on a 4-point scale), (d) a high grade-point average in a major area, or (e) a good record in the final year of college and graduate-level ability as attested by letters of recommendation from college professors. [rev. I-10]

f. **Appointment:**

1. The following information is submitted by the nominee’s service: (1) transcripts from undergraduate and graduate academic institutions; (2) transcripts or appropriate records from military schools and staff colleges; (3) at least three letters of recommendation from appropriate sources, such as former professors, military instructors, and supervisors or commanders. These letters should be concerned with matters such as the officer’s civilian academic performance, military record and leadership ability, and actual or potential performance as a teacher. (Former supervisors or commanders could give their opinion based on the officer’s demonstration of leadership ability and his or her experience as a training officer.); (4) a summary of the officer’s duty assignments and military and teaching positions held; (5) copies of favorable communications from the officer’s file.

2. The following is provided by the program unit concerned: (1) a description of the military schools attended and courses completed by the nominee; (2) a description of the positions held by the nominee; (3) an explanation of the appropriateness of the officer’s experience and training to the courses he or she will teach.

3. Copies of the requested material are distributed by the local unit to the members of the Officer Education Committee at least 72 hours before the meeting at which the committee will consider the nominee. For appointments commencing in the fall, this information should normally be made available not later than the preceding May 1.

4. In the case of a person nominated to head an officer education program, UI may require a personal interview.

5. A minimum of two weeks, after receipt of all required information, is necessary for consideration of the nominee. UI notifies the nominee’s service of its decision within one month.

**D-8. UNIVERSITY DISTINGUISHED PROFESSOR:** Acknowledgment of
outstanding academic contributions to the university is appropriate and desirable. The rank of University Distinguished Professor\(^2\) is bestowed upon University of Idaho faculty in recognition of sustained excellence in teaching, scholarship\(^3\), outreach, and service. The rank will be held for the remainder of the recipient’s active service at the University; if the recipient leaves the University and is eligible for emeritus status, the rank will change to University Distinguished Professor Emeritus. The rank is highly honorific and therefore will be conferred on no more than three faculty members university-wide in any given academic year. Selection of University Distinguished Professors will reflect the diversity of scholarly fields at the University. University Distinguished Faculty will receive a stipend of at least $5,000 per year for five years to be used to enhance salary or support professional activities (e.g., professional travel, student support, equipment, materials and supplies, etc.). \(\text{[add. 7-10, rev. 7-12]}\)

a. Selection Criteria: In general, University Distinguished Professors will have received national and usually international recognition. They will have brought distinction to the University through their work. \(\text{[ed. 7-12]}\)

University Distinguished Professors will have achieved a superior record in the following areas: scholarly, creative, and artistic achievement; breadth and depth of teaching; and University service and service involving the application of scholarship, creative, or artistic activities to addressing the needs of one or more external publics. \(\text{[rev. 7-12]}\)

University Distinguished Professorships will be conferred on members of the University of Idaho Faculty who have attained the rank of Professor and have completed a minimum of seven years of service at the University, typically at the rank of Professor. \(\text{[rev. 7-12]}\)

b. Selection Process: University Distinguished Professorships will be awarded by the President upon recommendation of The University Distinguished Professorship Advisory Committee a standing committee composed of four faculty members and three deans. The committee members should reflect all dimensions of diversity in the university community. They will be appointed by the Provost to serve three-year terms on a staggered basis. Nominations will be made by Faculty Senate and the Academic Deans, in consultation with faculty and administrators of units. Committee members must be tenured professors who themselves have outstanding records of teaching, research and/or outreach. \(\text{[rev. 7-12]}\)

1. The Provost will request nominations from faculty, deans, directors and unit administrators annually. \(\text{[rev. 7-12]}\)
2. Written nominations will be submitted to the Provost and must include: \(\text{[ed. 7-12]}\)
   a. A nominating letter with a brief summary of the candidate’s achievements; \(\text{[rev. 7-12]}\)
   b. The candidate’s curriculum vitae, including a list of any significant previous awards;
   c. Letters of endorsement from the appropriate deans and unit administrators or director(s). The candidate may also include a maximum of three additional letters of support, as appropriate, from

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2 As a result of Development Fund efforts, endowment support eventually may be obtained for many University Distinguished Fellowships, in which case a donor’s name may be added to the title. \(\text{[ed. 7-12]}\)

3 Scholarship in this context includes scholarship of discovery, scholarship of pedagogy, scholarship of application and integration, and artistic creativity.
students, colleagues at the University of Idaho, and/or other institutions. Letters should describe the impact of the nominee on her/his field, evidence of external recognition, and the context of her/his work over the course of her/his employment. [rev. 7-12]

3. The University Distinguished Professorship Advisory Committee reviews the nominations and makes recommendations to the Provost for transmittal to the President. [rev. 7-12]

4. Because the rank of University Distinguished Professorship is intended to be highly honorific, it is possible that in a given year no candidates will be selected. [ed. 7-12]

5. The applications of nominees who are not selected in the first year of nomination will remain active for a total of three years. Nominators will have the opportunity to update their nomination during subsequent years in which their candidate is under consideration.

D-9. CLINICAL FACULTY: Clinical faculty may be appointed for the purpose of performing practicum, laboratory, or classroom teaching. Clinical faculty is a non-tenure track position. Clinical faculty positions are appropriate for professional disciplines having strong applied and/or clinical elements or those serving university units or academic departments in a supporting capacity. Appointment to clinical-faculty status constitutes a recognition of the appointee’s scholarly contributions and professional accomplishments, and confers responsibilities and privileges as stated in a below. Clinical faculty members may be appointed and/or promoted [FSH 3560 D-2] to the ranks of clinical assistant professor, clinical associate professor or clinical full professor. [rev. 7-11]

a. Responsibilities, Privileges, and Rights. A clinical faculty member has a primary employment responsibility in a UI unit. The relationship of a clinical faculty member to UI is essentially that of a collaborator with a UI unit, program, or faculty member. The guarantees afforded by the principle of academic freedom [see 3160] are extended to members of the clinical faculty. They have the same responsibilities and privileges as university faculty (FSH 1520 II 1) [rev. 7-11]

Clinical faculty members perform administrative, analytical, and research functions that complement UI’s mission in teaching, research, and service.

1. Clinical faculty members may have teaching as a primary or major responsibility; in addition, they may advise students on their academic or professional programs, participate in research projects, serve on graduate students’ supervisory committees, engage in outreach and engagement activities, and act as expert advisers to faculty members or groups. [rev. 7-11]

2. The nature and extent of the services to be rendered are determined jointly by the clinical faculty member, his or her immediate supervisor, and the unit administrator(s) concerned.

b. Qualifications. Assignment to a clinical faculty position is based on demonstrated knowledge and experience, academic degrees, scholarly contributions, or other professional accomplishments comparable to those expected of faculty within the unit. [ed. 7-11]

c. Promotion and Review. Clinical faculty members are eligible for promotion after completion of time in rank comparable to that for tenure track faculty, and upon evaluation by departmental, college and university promotion committees. Clinical faculty shall be reviewed during their third year (see FSH 3570). Each unit will...
develop criteria for promotion and review of its clinical faculty. The promotion process will be consistent with that followed by the unit, college and university for tenure-track faculty (see FSH 3560). Clinical faculty will be reviewed at a minimum of every 5 years, or thereafter, as determined by the unit’s bylaws. The committee for third year review, period review and promotion, as defined by the unit’s bylaws, shall include tenure-track faculty from the unit. [See FSH 3560] [add. 7-11]

col. Conversion. Instructors and senior instructors who meet the qualifications for clinical faculty defined in D-9 b. may be considered for clinical faculty status upon the recommendation of the unit administrator and dean, subject to approval by the provost. Credit for prior equivalent experience may be granted by the provost up to a maximum of four years. Conversion of an existing tenure-track or tenure line in a unit to clinical status requires the approval of the dean and provost. A unit must demonstrate that a clinical position better advances the university’s strategic goals than a tenure-track position. [add. 11-1]

E. EMERITI. (FSH 1520 II-2)

E-1. ELIGIBILITY. A board appointed, benefit-eligible member of the university faculty who holds one of the ranks described in 1565 D and who leaves the university and has a minimum of 8 years of service, has attained 55 years of age, and attained the rule of 65 (age plus years of service is at least 65), is designated as “professor emeritus/emerita,” “research professor emeritus/emerita,” or “extension professor emeritus/emerita,” as applicable. A faculty member without such rank has the designation “emeritus” or “emerita,” as applicable, added to the administrative or service title held at the time of retirement. [ed. 7-00, 7-02, 1-08, rev. 7-12, 1-14]

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

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

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

a. Emeritus faculty may hold a part-time position after retirement, but not a full-time one. When it is in the university’s interest, exceptions may be made and the full-time employment limitation may be waived by the president.

b. Units wanting to employ emeritus faculty without a search must request, in writing, a search waiver from the Director of Human Rights, Access & Inclusion.

c. Search waivers granted to emeritus faculty remain in effect for three full years. Units need only notify Human Resources if they want to continue to employ an emeritus faculty member while the search waiver is in effect. However, a unit is not obligated to employ the emeritus faculty member during this three year period.
E-4. SPECIFIC PROVISIONS FOR EMERITUS PARTICIPATION. [ren. 7-12]

a. Departmental mail boxes continue to be available to emeriti who reside locally.

b. A list of emeriti and their mailing addresses is maintained at each level--department, college, and university (Human Resources). [ed. 7-06, 1-08]

c. The director of human resources is responsible for supplying information about emeriti for the Campus Directory.

d. Emeriti who have campus mail boxes receive University of Idaho publications by campus mail or upon request by email. [ed. 7-12]

e. Emeriti who have departmental mail boxes receive full distribution of notices; otherwise, special requests may be made to the departmental administrator.

f. Ordinary office materials and supplies are available under the same issuing procedures applicable to other members of the department.

g. Departmental postage may be used for professional mail.

h. Offices for emeriti are provided on a space-available basis.

i. One, free non-transferable gold parking permit each year. [rev. 1-08]

j. Any discounts available to other members of the faculty and staff through various UI agencies are available to emeriti.

k. Emeriti are included in appropriate university, college, and departmental faculty-staff functions.

l. In the appointment of committees, administrators at all levels and the Committee on Committees consider the availability and desire for significant service of emeriti.

m. There are many areas of activity, professional and other, such as service to the community and special groups within the community and university, in which emeriti may have the time and the inclination to make continuing contributions (e.g., guest lectures, research design, and consultation). In connection with such services, emeriti are not excluded from the travel budget, though they may generally have a lower priority.

n. E-mail accounts are available to emeriti without charge. [add. 7-99, ren.1-08, ed. 7-12]

E-5. LISTING OF EMERITI IN THE COMMENCEMENT PROGRAM. Names of faculty members who retire after meeting the eligibility requirements stated in E-1 are listed in the program of the commencement exercises held during the fiscal year in which their UI duties end; also, those whose service obligations are to end on or before August 31 following a given commencement will be listed in the program for that commencement. [ed. 1-10, ren. 7-12]

E-6. MAINTENANCE OF TIES WITH EMERITI. The Faculty Senate has urged UI units periodically to review their contacts with emeriti and to take steps to ensure that the provisions of this section--particularly b and c, above--are being carried out; moreover,
the senate has urged all members of the UI community to seek additional ways of maintaining ties with emeriti and to provide opportunities and the means for them to continue to be a part of, and of service to, the university. [ed. 1-08, 7-09, ren. 7-12]

F. ASSOCIATED FACULTY: Associated faculty members (see FSH 1520 II-3) have access to the library and other UI facilities. Reimbursement for travel or for services to UI is at the unit’s discretion. They are not eligible for sabbatical leave. [ed. 1-10]

F-1. AFFILIATE FACULTY: [ren. 7-98, 1-08, rev. 7-10]

a. General. The affiliate faculty consists of professional personnel who serve academic departments in a supporting capacity. Appointment to affiliate-faculty status constitutes a recognition of the appointee’s scholarly contributions and professional accomplishments, confers responsibilities and privileges as stated in subsection e below, and authorizes assignment of service functions as described in subsection e-2 below. It is also a means of encouraging greater cooperation between and among academic departments and other units. An affiliate faculty member holds a non-tenure-track faculty status in an appropriate academic discipline. [ed. 7-00, 1-10, rev. 7-10]

b. Employment Status. An affiliate faculty member may, by virtue of his or her employment, have either one of the following relationships with UI: (1) that of a UI employee, normally an exempt employee, who is [a] a member of the faculty or staff of a unit of the university other than the one in which he or she has affiliate-faculty status, or [b] a member of the professional support staff of the same unit of the university in which he or she has affiliate-faculty status; (2) that of an employee of a governmental or private agency who is assigned by that agency to a UI unit or to one of the agency’s units or programs that is officially associated with the university. [rev. 7-10]

c. Distinction between Affiliate and Adjunct Faculties. Members of the affiliate faculty have a more direct relationship with UI than do members of the adjunct faculty [see 1565 F-2]. Members of the adjunct faculty are not UI employees. An adjunct faculty member’s primary employment is with a unit or program that is not officially associated with UI. Thus, the relationship of a member of this faculty category to UI is essentially that of a collaborator with a UI unit, program, or faculty member. An affiliate faculty member, in contrast, has a primary employment responsibility in a UI unit or in a non-UI unit that is officially associated with UI. In addition, he or she has a secondary relationship to another unit in a supporting role, or has a secondary relationship to the academic program in the same unit in which he or she has a primary employment responsibility. These latter relationships are the kind that are recognized by the affiliate faculty membership. [ed. 7-00, 1-08, 1-10, rev. 7-10]

d. Responsibilities, Privileges, and Rights. The guarantees afforded by the principle of academic freedom [see 3160] are extended to members of the affiliate faculty. They have substantially the same responsibilities and privileges as do members of the university faculty; however, their right to vote in meetings of their constituent faculties is limited in accordance with the provisions of 1520 II-3-b. (Those who, in addition to their affiliate-faculty status, have status as members of the university faculty [e.g., psychologists in the Counseling and Testing Center and regular faculty members in other academic departments] have, of course, full rights of participation in meetings of the university faculty and of the constituent faculties to which they belong.) [ren. 1-10, rev. 7-10, ed. 7-11]
Affiliate faculty members perform administrative, analytical, and research functions that complement UI’s mission in teaching, research, and service. [rev. 7-10]

1. Affiliate faculty members, as such, do not normally have teaching as a primary or major responsibility; however, with the approval of academic departments, they may teach classes, advise students on their academic or professional programs, participate in research projects, serve on graduate students’ supervisory committees (with approval by the vice president for research and graduate studies), or act as expert advisers to faculty members or groups. [rev. 7-10]

2. The nature and extent of the services to be rendered are determined jointly by the affiliate faculty member, his or her immediate supervisor, and the departmental administrator(s) concerned. [rev. 7-10]

3. Affiliate faculty qualify for the faculty-staff educational privilege [see 3740] [ed. 1-10, rev. 7-10]

e. Qualifications. Assignment to an affiliate faculty position is based on demonstrating knowledge and experience, academic degrees, scholarly contributions, or other professional accomplishments comparable to what is expected of faculty within that unit. [ed. 7-00, rev. 1-10, 7-10]

f. Appointment.

1. Appointments to the affiliate faculty may be made at any time. They are reviewed by the dean of the college before publication of each issue of the General Catalog. No appointment should be continued unless the affiliate faculty member remains in UI employment or continues in his or her assignment to an entity that is officially associated with the university. [rev. 7-10]

2. A recommendation for appointment to the affiliate faculty normally originates in the appropriate academic department and requires the concurrence of the nominee’s immediate supervisor and the faculty of the appointing department. The appointment must be approved by the dean of the college, the president, and the regents. [rev. 7-10]

3. An appointment, termination, or other change in affiliate-faculty status is made official by means of a “Personnel Action” form. [rev. 7-10]

F-2. ADJUNCT FACULTY: [rev. 7-10]

a. General. The adjunct faculty includes highly qualified persons who are not employed by UI but are closely associated with its programs. [For the distinction between the affiliate and the adjunct faculty categories, see 1565 F-1-c.] [ed. 7-00, 1-08, rev. 7-10]

b. Responsibilities. Members of the adjunct faculty have the same academic freedom and responsibility as do members of the university faculty; however, their right to vote in meetings of the university faculty and of their constituent faculties is limited in accordance with the provisions of 1520 II-3-b. Adjunct faculty members may be assigned to advise students on their academic or professional programs at any level; to work in cooperative research projects; to serve on committees,
including graduate students’ supervisory committees (with approval by the College of Graduate Studies); to act as expert advisers to faculty members or groups; and to teach courses in their branch of learning. [rev. & ren. 1-10, rev. 7-10, ed. 7-11, 7-12]

c. Qualifications. Adjunct faculty members must be highly qualified in their fields of specialization and should have exhibited positive interest in UI programs in the field of their appointment. Their qualifications should ordinarily be equivalent to those required of regular members of the faculty in the area and at the level of the adjunct faculty member’s responsibility. [ren. 1-10, rev. 7-10]

d. Adjunct faculty do not qualify for the faculty-staff educational privilege. (see 3740) [add. 1-10, rev. 7-10]

e. Appointment.

1. Appointments to the adjunct faculty may be made at any time. b. Appointments are for an indefinite period, but are to be reviewed by the dean of the college before publication of each issue of the General Catalog. No appointments should be continued unless the adjunct faculty member is actively engaged in the responsibilities for which he or she was appointed. [rev. 7-10]

2. Recommendations for appointment to the adjunct faculty are normally developed at the departmental level and have the concurrence of the departmental faculty. For interdisciplinary degree programs, adjunct faculty may also be assigned responsibilities with respect to the degree programs with approval of the program faculty and of the program director. Appointments must be approved by the dean of the college, the provost, the president, and the regents. [rev. 7-10]

3. Before formal appointment procedures are begun, the prospective adjunct faculty member must agree to serve under the provisions herein described. When necessary, the consent of the nominee’s employer, if any, will be requested and recorded. [rev. 7-10]

4. Appointment information is recorded on the regular “Personnel Action” form.

5. The appointment of adjunct faculty members to graduate students’ supervisory committees requires approval by the dean of the College of Graduate Studies. [rev. 7-10]

G. TEMPORARY FACULTY: Temporary faculty have access to the library and other UI facilities. Reimbursement for travel or for services to UI is at the unit’s discretion. They are not eligible for sabbatical leave. [add. 1-10]

G-1. LECTURER. A teaching title that may be used at any level, i.e., it carries no specific connotation of rank among the professorial titles. This title is conferred on one who has special capabilities or a special instructional role. Lecturers are neither tenurable nor expected to progress through the professorial ranks. A lecturer qualifies for faculty status with vote during any semester in which he or she (a) is on an appointment greater than half-time and (b) has been on such appointment for at least four semesters. When a lecturer qualifies for faculty status they shall be reviewed at a minimum of every 5 years thereafter as determined by the unit’s by-laws. The review committee defined by the unit’s by-laws shall include tenure-track faculty within the unit. [rev. 7-01]
G-2. VISITING FACULTY. A designation that, when used with a professorial title, customarily indicates that the appointee holds a regular teaching or research position at another institution. A visiting appointee who does not hold a professorial rank elsewhere may be designated as a lecturer. Appointees with visiting academic ranks (e.g., visiting associate professor, visiting professor) are considered temporary members of the university faculty. Those on full-time appointment have the privilege of voting in meetings of the university faculty and of the appropriate constituent faculties.

G-3. ACTING. Persons who are judged competent to perform particular duties may be appointed for temporary service as acting members of the faculty. An acting appointment may also be used to establish a probationary period for an initial appointment of a person who, while being considered for a regular position on the faculty, is completing the required credentials for a permanent appointment. Persons on acting status are not voting members of the university faculty or of constituent faculties.

G-4. ASSOCIATE. A title for a nonstudent with limited credentials who is assigned to a specialized teaching, research, or outreach position. Associates are exempt staff and are not members of the university faculty or of constituent faculties. [ed. 1-10]

H. NON-FACULTY: Those within this category are not members of the faculty. [ed. 1-10]

H-1. POSTDOCTORAL FELLOW. Postdoctoral fellows are persons who hold the doctoral degree or its equivalent at the time of their appointment and are continuing their career preparation by engaging in research or scholarly activity. Postdoctoral fellows are special exempt employees in the category of “temporary or special” (FSH 3080 D-2 a) employees recognized by the regents. [See also 3710 B-1.b.] [ed. 1-10]

H-2. GRADUATE STUDENT APPOINTEES: [See also 3080 D-2-a.]

a. Teaching Assistant. Teaching assistants conduct classroom or laboratory instruction under the supervision of a full-time member of the faculty. [ed. 1-10]

b. Research Assistant. Research assistants provide research service, grade papers, and perform other nonteaching duties. [ed. 1-10]

c. Graduate Assistant. Graduate assistants perform paper-grading and other nonteaching duties. [ed. 1-10]

d. Research Fellow. This title is appropriate for registered graduate students engaged in research or scholarly activities sponsored by funds designated for fellowships. [ed. 1-10]

I. QUALIFICATIONS OF NONFACULTY MEMBERS FOR TEACHING UI COURSES. Persons who are not members of the university faculty but are selected to teach UI courses offered for university-level credit (including continuing-education courses and those offered by correspondence study) are required to have scholarly and professional qualifications equivalent to those required of faculty members.
**POLICY COVER SHEET**

*(See Faculty Staff Handbook 1460 for instructions at UI policy website: [www.webs.uidaho.edu/uipolicy](http://www.webs.uidaho.edu/uipolicy) [3/09]*)

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**Minor Amendment**

**Chapter & Title:**  
FSH 1590 – Unit Bylaws

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

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

**Originator(s):**  
Faculty Senate, 2012-13, April 23, 2013

**Policy Sponsor:** (If different than originator.)  
Paul McDaniel Faculty Affairs Chair  
12/9/13  
paulm@uidaho.edu

**Reviewed by General Counsel**  
Yes No  
Name & Date: Kent E. Nelson – 3/23/14

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

I. **Address the need for review by tenure-track faculty of all non-tenure-track faculty by including tenure track faculty on review committees.**

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

III. **Related Policies/Procedures:** Describe other policies or procedures existing that are related or similar to this proposed change.  
3320, 1565, 3560, 3570

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

If not a minor amendment forward to:

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

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FC  
GFM  
Pres./Prov.  
[Office Use Only]

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

**Track #**  
UP-14-040  
Date Rec.:  
Posted: t-sheet  
Reg.:  
[Office Use Only]
UNIT BY-LAWS

PREAMBLE: Responding to widespread disparities among unit bylaws, the Faculty-Staff Handbook and Regents policies, this section was adopted by the university faculty at its April 27, 2004 meeting. In 2012 changes were made to provide guidance, clarify language, and define “unit”. [rev. 7-12]

A. Definitions.

A-1. Unit: For purposes of this policy, units shall be those listed in the chart of the organization of the university faculty in FSH 1560. [add. 7-12]

B. Policy. Each recognized unit will develop a set of bylaws (see Regents Policy III. C. 3), setting forth the rules (see B-1 below) by which the unit is governed [for specifics with regard to promotion and tenure see FSH 3050 B, 3320, 3520 G-1 and 3560 E-1]. Departments/programs may incorporate or adopt college bylaws by reference and colleges may incorporate or adopt specific relevant Faculty-Staff Handbook provisions. The majority of the faculty of the unit, must approve the bylaws and any revisions (see FSH 1520 II 1, II 3, & IV 8; and FSH 1540 A II-1, II-3). Unit bylaws and revisions must be approved by the president, as required by Regents Policy III C. 3. [rev. 7-12]

Unit bylaws are subordinate to policies within the Faculty-Staff Handbook, and each unit should review its bylaws annually for consistency with the Faculty-Staff Handbook (units are strongly encouraged to seek assistance from General Counsel). The bylaws will undergo a thorough review and be re-approved at least every five years, and copies shall be sent to the Offices of the Faculty Secretary and Provost. [rev. 7-12]

B-1. A unit’s bylaws should contain the following information: [ed. 7-12]

- the mission statement of the unit, including the objectives of the unit and its role;
- policies on unit governance, including rules of order, meeting procedures, quorum, attendance at meetings, student representation, and voting rights;
- the organizational structure of the unit, including the responsibilities of the unit administrator and the constitution and function of committees, their terms, and selection procedure;
- specific unit procedures, in addition to required human resources procedures, by which faculty and staff searches and hirings are conducted; [ed. 7-12]
- the process for negotiation of annual position descriptions;
- the unit’s criteria and procedures for annual performance evaluation and third-year review;
- the makeup of all review committees (third year, periodic and promotion) will include tenure track faculty;
- the unit’s promotion and tenure guidelines [see 3050, B-1] and procedures; [ed. 7-12]
- the procedures for amendment of the bylaws.
### POLICY COVER SHEET

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

[3/09]

**Faculty/Staff Handbook [FSH]**
- **☐** Addition  ☐ Revision*  **☐** Deletion*  **☐** Emergency  ☑ Minor Amendment

**Chapter & Title:**  FSH 3320 – Annual Evaluation

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

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

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<td>Policy Sponsor: (If different than originator.)</td>
<td>Paul McDaniel Faculty Affairs Chair 3/11/14</td>
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### I. Policy/Procedure Statement:

Briefly explain the purpose/reason of proposed addition, revision, and/or deletion to the Faculty/Staff Handbook or the Administrative Procedures Manual.

1. Include language that ensures all faculty (FSH 1520 II Section 1 – including instructors/clinical/lecturers who attained faculty status) go through a review by their peers and that review committee membership is in accordance with FSH 3560 E-2 c.
2. New faculty are first exposed to the annual evaluation policy, added language to stress the importance of materials necessary (and policies) that are used by review committees when considering the faculty’s progress towards promotion/tenure.

### II. Fiscal Impact:

What fiscal impact, if any, will this addition, revision, or deletion have?

**None**

### III. Related Policies/Procedures:

Describe other policies or procedures existing that are related or similar to this proposed change.

- 1565, 3560, 3570, 1590

### IV. Effective Date:

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

If not a minor amendment forward to: _____Fac. Affairs 3/10/14 appr._____

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**Policy Coordinator**

Appr. & Date: 

[Office Use Only]

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**FSH**

Appr. 

FC 

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Pres./Prov. 

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**APM**

F&A Appr.: 

[Office Use Only]

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**Track # __UP-14-042 __**

Date Rec.: __3/10/14__

Posted: t-sheet __________ h/c __________ web __________

Register: ______________

(Office Use Only)
ANNUAL PERFORMANCE EVALUATIONS AND SALARY DETERMINATION OF FACULTY MEMBERS AND PERFORMANCE EVALUATION OF ACADEMIC ADMINISTRATORS

PREAMBLE: This section contains those policies and their attendant procedures for those periodic reviews of performance that affect faculty members and academic administrators. Policies concerning performance evaluation were part of the original 1979 Handbook, but were completely rewritten in July 2002 and further refined in 2003. In July 2007 Form 1 underwent substantial revisions to address enforcement and accountability issues in the UI promotion and tenure process as well as align the form with the Strategic Action Plan. In January 2008 Form 1 was again revised to include a Disclosure of Conflicts statement to comply with FSH 6240. In 2009 this section was again revised to reflect recent changes to the faculty position description and evaluation forms to better integrate faculty interdisciplinary activities. In July 2010 B was added and FSH 1420 E-6 was incorporated into D to consolidate the evaluation process into one policy. Further information may be obtained from the Provost's Office (208-885-6448).

CONTENTS:
A. Annual Performance Evaluation and Salary Determination for Faculty Members
B. Performance Below Expectations of Non-tenured Faculty Members
C. Performance Below Expectations of Tenured Faculty Members
D. Performance Evaluation of Academic Administrators
E. Sequence of Evaluation of Faculty Members and Administrators.

A. ANNUAL PERFORMANCE EVALUATION AND SALARY DETERMINATION FOR FACULTY MEMBERS.

A-1. PERFORMANCE EVALUATION. Annual evaluation of the performance of each member of the faculty is primarily the responsibility of the faculty member and her/his unit administrator. Each unit will develop criteria in its bylaws for third-year and periodic review of its faculty (FSH 1520 II Section 1). The committee for all reviews will be defined in unit by-laws and will include tenure-track faculty (see FSH 3560 E-2 c). The materials listed in FSH 3560 E-2 a and b are critical and used by review committees when considering progress towards promotion (FSH 3560) and/or tenure (FSH 3520). The provost is responsible for preparing supplementary instructions each year, including the schedule for completion of the successive steps. The form to be used, “Annual Performance Evaluation Form 1: Evaluation of Faculty,” is appended to this section. Personnel on international assignment see FSH 3380 C.

a. Forms Distributed. Supplies of the form to be used in the evaluation process are procured by deans and unit administrators. The immediate administrative officer is responsible for ensuring that each faculty member receives the proper form together with a copy of the supplementary instructions. [rev. 7-01]

b. Performance levels for each criterion are described as follows: [ed. 7-10]
   i. Exceptional Performance (5) is extraordinary performance well beyond that required relative to the position description.
   ii. Above Expectations (4) represents performance that is better than expected relative to the position description. [ed. 7-10]
   iii. Meets Expectations (3) is the performance expected of a faculty member relative to the position description.
   iv. Below Expectations (2) denotes performance that is less than expected of a faculty member relative to the position description and means improvement is necessary. A rating of below expectations in one or more criteria triggers procedures outlined in 3320 B or C. [rev. 7-09, 7-10]
### POLICY COVER SHEET

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

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Chapter & Title: FSH 3560 – Instructor/Senior Instructor

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

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

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<tr>
<td>Paul McDaniel Faculty Affairs Chair 3/11/14</td>
<td><a href="mailto:paulm@uidaho.edu">paulm@uidaho.edu</a></td>
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**Reviewed by General Counsel:**

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<th>Name &amp; Date:</th>
<th>Debra Ellers 3/21/14</th>
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### I. Policy/Procedure Statement:

Briefly explain the purpose/reason of proposed addition, revision, and/or deletion to the Faculty/Staff Handbook or the Administrative Procedures Manual.

1. **Address “up or out” situation for instructors who must go up for promotion to Senior Instructor after three years.** This created a problem because of language in 1565 D-1 b (last sentence limits instructors in department to 15%) and FSH 3560 – D-1 wherein an instructor must go up for promotion.

2. **Moved promotion/review language from 1565 Ranks & Responsibilities to 3560 Promotion.**

3. **Address the need for a periodic review by tenure-track faculty of instructors, senior instructors, clinical faculty, and lecturers (who qualify for voting privileges).**

4. **If instructor or clinical choose not to go up for promotion at the end of their third year, a review by tenure-track faculty in unit is required.**

5. **Moved requirement for External Peer Reviews from E-2 b to new section E-3.** If this paragraph remained in E-2, it would require external reviews for all instructors/clinical. This would be onerous for all units to comply with; if a unit desires external reviews of their clinical faculty, they may address in their unit by-laws.

### II. Fiscal Impact:

What fiscal impact, if any, will this addition, revision, or deletion have? None

### III. Related Policies/Procedures:

Describe other policies or procedures existing that are related or similar to this proposed change. 1565, 1590, 3320, 3560, 3570

### IV. Effective Date:

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

If not a minor amendment forward to: _____FAC approved 3/10/14_____

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Policy Coordinator

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Track # __UP-14-042__

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(Office Use Only)
UI FACULTY-STAFF HANDBOOK
CHAPTER THREE:
EMPLOYMENT INFORMATION CONCERNING FACULTY AND STAFF
July 2012

3560

FACULTY PROMOTIONS

PREAMBLE: This section discusses promotion in rank and the procedures by which a faculty member is evaluated, at the department, college, and university level, for a possible promotion. In particular the charge of the University Level Promotions Committee is given (subsection G). This section was an original part of the 1979 Handbook and has been revised in very minor ways several times since. In July 1994 it was more substantively revised: subsections A and B were largely rewritten to emphasize the faculty’s responsibility for promotion, G-2 (add a “presumption in favor” of the candidate under certain conditions at the university level) and the last sentence of H (providing feedback to the candidate) added. Again in July 1998 there were substantial revisions to E-2 (making formal the requirement and procedures for an external review), and E-5 and F-5 (providing a feedback loop between candidate and subsequent evaluators). In July 2000 section B was revised to make clear that eligibility for promotion in rank necessitated a history of position descriptions that required activities consistent with the criteria for that rank. In July 2002 section D was edited to clarify promotion schedules at each rank. In July 2007 the form underwent substantial revisions to address enforcement and accountability issues in the UI promotion and tenure process as well as align the form with the Strategic Action Plan. In January 2008 the section underwent some minor editing and revising to bring it into greater conformity with other sections of the Handbook. In January 2010 this section was again revised to reflect changes in the faculty position description and evaluation forms intended to simplify the forms while better integrating faculty interdisciplinary activities into the evaluation process. In July 2012 the university promotions committee makeup was revised to reflect current practice and align membership to college reorganizations. Except where otherwise noted, the text is as of July 1996. Further information may be obtained from the Provost’s Office (208-885-6448).

[rev. 7-00, 7-02, 7-07, 1-08, 1-10, 7-12]

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A. General
B. Bases of Evaluation
C. Responsibility
D. Schedule
E. Evaluation and Recommendation at the Unit Level
F. Review of Recommendations at the College Level
G. Review of Recommendations at the University Level
H. Report of Recommendations Forwarded
I. Appeal
J. Annual Timetable for Promotion Consideration

A. GENERAL. Promotion to a rank requires the faculty member to meet the requirements for that rank. Responsibility for the effective functioning of promotion procedures rests with faculty and administrators. Decisions are based on thorough and uniform evaluation of the faculty member’s performance in relation to the expectations as listed in his/her position description. Performance of university administrative duties as a unit administrator is not a consideration in promotion.

B. BASES OF EVALUATION. Promotion in rank is granted only when there is reasonable assurance, based on performance, that the faculty member will continue to meet the standards for promotion. The faculty member’s position description [see FSH 3050], covering the period since appointment to his or her
current rank, provides a frame of reference for the unit expectations for satisfactory performance. When the appointment occurs after January 1, the following fiscal year is the first year of the promotion consideration period. In order to form a basis for promotion in rank, the position descriptions must require activity consistent with the criteria for that rank as stated in FSH 1565. The faculty member’s professional portfolio (FSH 3570) and other documents are judged in the context of unit and college by-laws as well as the documents listed in E-2a and E-3 below [see FSH 1565 C].

C. RESPONSIBILITY. The responsibility for submitting recommendations in accordance with the prescribed schedule [see D] falls on the unit administrator or on the dean of the college if the college is not departmentalized. Small units may be joined with others for this purpose. The intent is to secure an adequate body of recommendations from those concerned and qualified to participate in the evaluation. The procedure involves successive considerations of the candidate, beginning with the faculty member’s colleagues at the unit level, and proceeding through the college level to the university level. Interdisciplinary and center administrators are to be included as appropriate. [rev. 1-08, ed. 1-10]

D. SCHEDULE. Consideration of each faculty member for promotion is required according to the following schedule:

D-1. Instructors. Each unit will develop criteria for promotion and review of its instructors. Instructors may be considered for promotion to senior instructor before the end of the third (in exceptional cases, the fourth) year of full-time service in this rank. Instructors who do not seek promotion shall be reviewed at the end of their third year (FSH 3570) and at a minimum of every five years thereafter as determined by the unit’s by-laws. The committee for third-year review, periodic review and promotion, defined by the unit’s bylaws, shall include tenure-track faculty within the unit.

Part-time service is not considered in determining the time for mandatory consideration for promotion. Periods of full-time service need not be consecutive; however, if there is an interruption of more than three years’ duration in an instructor’s full-time service, the instructor and the unit administrator may agree on an adjustment in the amount of full-time service that must be completed before consideration must be given to the instructor’s promotion, such adjustment being subject to approval by the provost. If an instructor who is serving full-time with primary responsibilities in teaching is not promoted by the end of the year in which consideration for promotion is mandatory, the following year will be his or her terminal year.

Note: The rank of senior instructor, provisions of this paragraph do not apply to the rank of senior instructor, which is except in very rare instances, is a terminal rank that does not lead to promotion to the professorial ranks. [See 1565 D-1 b]. [ed. 7-00, 7-04, 1-10]

D-24. Clinical Faculty. Clinical faculty members are eligible for promotion after completion of time in rank comparable to that for tenure-track faculty; and upon evaluation by departmental, college and university promotion committees. Clinical faculty shall be reviewed during their third year (see FSH 3570). Each unit will develop criteria for promotion and review of its clinical faculty. The promotion process will be consistent with that followed by the unit, college and university for tenure-track faculty (see FSH 3560).
Clinical faculty will be reviewed at least once every five years thereafter as determined by the unit’s by-laws. The committee for third-year review, periodic review and promotion, as defined by the unit’s bylaws, shall include tenure-track faculty from the unit.

**D-23. Assistant Professors.** Assistant professors are considered for promotion before the end of their sixth year in that rank. When an assistant professor has been considered for promotion and not promoted, he or she will be considered again no less frequently than at five-year intervals. The review may be delayed upon the request of the assistant professor and the concurrence of the unit administrator and the dean. Assistant professors who have served eight years in that rank shall be considered for promotion following the process established in this policy. [ed. 7-97, 7-02, 1-10]

**D-34. Associate Professors.** Associate professors are considered for promotion before the end of their seventh year in that rank. If review for promotion to full professor is scheduled during the fifth, sixth or seventh full year after the award of tenure then the promotion review may, if it meets substantially similar criteria and goals of the post tenure review, take the place of the periodic performance review required by the board of regents. (RGP IIG 6g) When an associate professor has been considered for promotion and not promoted, he or she should be considered again within five years. The review may be delayed upon the request of the associate professor and the concurrence of the unit administrator and the dean. [ed. 7-02, 1-10]

**D-5D-4. Early Consideration for Promotion.** In addition to those whose consideration is mandated by this schedule, a faculty member may be considered for promotion at an earlier time if nominated for consideration by a faculty member of the recommending unit whose rank is higher than that of the nominee. It is suggested that the faculty member proposing to make the nomination confer with the administrator concerned on the merits of giving early consideration to the nominee. If it is determined that the nomination is to be made, the evaluation process is initiated by the recommending faculty member using a copy of the form that appears at the end of this section. The remainder of the evaluation process is the same for these additional candidates as it is for those regularly scheduled for consideration. A faculty member may request consideration of himself or herself for promotion but such a request does not require that the evaluation and recommendation process be carried out. [ed. 7-97, 1-10, rev. 1-08]

**D-5D-6. Credit for Prior Experience.** In cases involving prior equivalent experience, promotion may be considered following less than the usual period of service. In particular, a new faculty member with comparable experience (see FSH 3050 B) from other institutions in relation to the expectations set forth in his/her position description may be granted credit by the provost for such experience up to a maximum of four years. [rev. 1-10]

**E. EVALUATION AND RECOMMENDATION AT THE UNIT LEVEL.** [ed. 7-97, 1-10]

**E-1. Unit Criteria.** The faculty of each unit department or equivalent unit establishes, as appropriate for the unit, specific criteria that are consistent with criteria in FSH 1565 C for promotion in rank. The criteria shall include a statement regarding the role of interdisciplinary activity. Unit criteria are subject to review by the college standing committee on tenure and promotion.
for consistency with the college criteria. Such criteria may be revised at any
time by a majority vote of the unit faculty, but they must be reviewed for
possible changes at intervals not to exceed five years (see FSH 1590).
Revisions may not be retroactive but, for promotion evaluation purposes, are
considered proportionately in conjunction with criteria that were previously in
force. [rev. 1-08, 1-10]

E-2. Formal Promotion Review.

a. The formal evaluation for promotion requires assessing the faculty
   member’s performance in meeting the criteria for promotion. To
   initiate the formal promotion evaluation, the unit administrator (or
college dean if the unit administrator is under consideration for
promotion) obtains the position descriptions for the relevant period
(maintained in the unit office), annual performance evaluations, and the
third year review (FSH 3520 G-4) if conducted while in the current
rank, including all narratives, the professional portfolio (from the
faculty member) (see FSH 3570), summary scores of the student
evaluations of all classes taught (from Institutional Research and
Assessment), and the curriculum vitae, and reviews the latter for
completeness and accuracy with the faculty member. [ren. & rev. 1-08,
rev. 1-10]

b. Copies of documents referred to in E-2 a., and copies of the unit,
college, and university criteria for promotion are made available to
each person participating in the review at the unit and higher levels.
Supplementary material, if any, shall be available for review in the unit
office. [See FSH 3380 D.] The results of the student evaluations of
teaching must be carefully weighed and used as a factor in assessing
the teaching component in promotion decisions. [rev. 7-98, 1-10, 7-10,
ren. 1-08]

c. All review committees shall be formed consistent
   with unit by-laws and must include tenure-track faculty. If the unit’s
   by-laws do not address review committee makeup, one is not specified,
   the structure of the tenure committee as described in FSH 3520 G-5 d.
   shall be used. [add. 1-10]

d. Members of the faculty of the candidate’s unit (or group of small
   units joined together for this purpose) whose ranks are higher than that
of the candidate are afforded an opportunity to submit their opinions
and recommendations on the candidate’s promotion on the lower
portion of the front page of the prescribed form. The unit administrator
making the recommendation will solicit, and address in his/her summary,
the evaluative comments regarding the candidate from all faculty members
(within the candidate’s unit) of a higher rank than the candidate, from
interdisciplinary program directors and/or center administrators (if
applicable). Any person having a familial or other similar significant
relationship with the candidate is not permitted to serve in any capacity in
the review process. Each unit is responsible for developing procedures in
its bylaws that meet the requirements of this subsection (unit bylaws are
subject to review and approval by the provost, see FSH 1590). A copy of
the form to be used in transmitting the recommendations made at each
stage of evaluation for promotion appears as the last two pages of this
section. [See FSH 3380 D.] [rev. & ren. 1-08, 1-10]

e. The unit administrator completes the first section on the back of the
recommendation form. In arriving at a conclusion, the administrator
carefully considers the following (particularly as they relate to the
factors listed in B): the information obtained from the curriculum vitae,
the position descriptions (including all narratives), the conference with
the candidate, the recommendations solicited from the candidate’s
colleagues, the external reviewers, interdisciplinary administrators
and/or center administrators (if applicable) and the results of annual
student evaluations of teaching (in the cases of teaching members of the
faculty). [ren. 1-08, rev. & ren. 1-10]

E-3. External Review: In addition to E-2 above, tenure track faculty will
require an external review. The unit administrator will request an
evaluation of the candidate’s performance from three to five appropriate
external reviewers, who should include faculty at peer institutions. Persons
asked to write peer reviews should be at, or above, the rank the candidate is
seeking. The names of at least two of these reviewers will be selected from
a list suggested by the candidate. (Also see External Peer Review
Guidelines on the Provost website at
http://www.uidaho.edu/provost/policyguidelines/tenure.) Final selection of
external reviewers should take place at the unit level, in accordance
with college policy. The letter of request will include the candidate’s curriculum
vitae, position descriptions for the relevant period (including all narratives),
the professional portfolio, and up to four examples of the candidate’s
scholarly and creative work. In addition, the letter of request shall include
instructions that the candidate be evaluated in relation to the candidate’s
personal context statement and unit and college criteria. When all
deliberations within the university are completed, the external reviewers’
evaluations will be shown to the faculty member after every effort has been
made to ensure the reviewers’ anonymity. [ren. 1-08, rev. 1-10]

E-34. Forwarding Materials.

a. Before forwarding the materials to the college, the unit
administrator shall forward the following to the candidate:
• written findings of the unit and/or committee’s recommendation
  and vote [rev. 7-10]
• his or her written recommendation which shall include strengths
  as well as weaknesses as perceived at the unit level. [rev. 7-10]
The candidate has one week from receipt of the above to provide
written clarification if he or she believes his or her record or the unit
criteria for promotion have been misinterpreted. Any such clarification
is forwarded with the rest of the candidate’s materials to the college.

b. The unit administrator then forwards the following items to the
dean:
• his or her completed copy of the recommendation form for
  each person considered
• the forms submitted by individual faculty members, including
  responses from external reviewers, interdisciplinary
  administrators and/or center administrators (if applicable)
• a summary of votes and any comments
• Any clarification received from the candidate as noted in “a”
  above. [rev. 7-98, 1-10, ren. 1-08]

E-45. The names of the members of the unit committee are made public
after the committee’s recommendations have been forwarded.

E-56. Unit Administrator Under Review for Promotion. If a unit
administrator is under consideration for promotion, the forms completed by
the faculty members concerned, are forwarded directly to the dean and the
dean is responsible for making the summary. (See FSH 3320 C-2) [ren. 1-08]
F. REVIEW OF RECOMMENDATIONS AT THE COLLEGE LEVEL.

F-1. College Standing Committee. In each college there is a standing committee on tenure and promotion. The members serve for terms of not less than three years on a staggered basis. The membership of the committee and the method of selection are prescribed in the bylaws of the college. [rev. 1-08]

F-2. College Criteria. Each college shall have bylaws, adopted by the college faculty, specifying criteria consistent with FSH 1565 C for granting promotion to specific ranks in that college. The criteria shall include a statement regarding the role ascribed to interdisciplinary activity. College criteria must be compatible with the university-wide criteria as specified in FSH 1565 and section A above and are subject to approval by the provost. The dean or the faculty (by petition of 20 percent or more of the faculty members of the college) may initiate consideration for revision of the criteria at any time. [rev. 1-08, 1-10]

F-3. College Standing Committee Recommendations. The college standing committee makes recommendations to the dean and provost on promotion of individual faculty members.

F-4. Dean’s Recommendations. The dean considers the recommendations made by the college’s committee on promotion and makes a written recommendation. It is advisable that the dean confer collectively with the unit administrators about the merits of the faculty members whom they are recommending for promotion. Before forwarding the materials to the provost, the findings of the college committee(s) and the dean are relayed in writing to the candidate indicating strengths as well as weaknesses as perceived at the college level. The candidate has one week from receipt of the findings to provide written clarification if he or she believes his or her record or the college criteria for promotion have been misinterpreted. Any such clarification is forwarded with the candidate’s materials to the provost. [rev. 7-98, 1-08, 7-10, ren. & rev. 1-10]

F-5. The names of the members of the college committee are made public after the committee’s recommendations have been forwarded. [ren. 1-10]

G. REPORT OF RECOMMENDATIONS FORWARDED. When an administrator forwards a recommendation to the next higher level, he or she simultaneously reports, in writing, the recommendation to the candidate concerned and to those who have submitted recommendations on that candidate. If the recommendation is negative, then reasons for the negative recommendation are transmitted in writing to the candidate. [ed. 7-97, ren. 1-08, rev. 1-10]

H. REVIEW OF RECOMMENDATIONS AT THE UNIVERSITY LEVEL BY THE PROMOTIONS REVIEW COMMITTEE. [ren. 1-08]

H-1. All individual recommendations, together with the summary recommendations of the unit administrator, the recommendations of the college committee and those of the dean, including all narratives, are forwarded for review by the provost. Any individually signed recommendations are placed in the faculty member’s personnel file. [rev. 1-08, 1-10]

H-2. A University Promotions Committee of faculty members, chaired by the provost, is named each year. The committee reviews each promotion recommendation with specific reference to university guidelines and to the criteria established by the unit and college of the faculty member concerned.
and reflected in the faculty member’s position descriptions for the relevant period. This review involves full consideration of the material that was used in making the recommendations at the unit and college levels. [ed. 7-10]

a. One-third of the committee’s membership is randomly selected by the provost from the previous year’s committee; the remaining members are selected by the provost and the chair and vice chair of the Faculty Senate from nominations submitted by the senate. The random selection of carryover members is done one week before the senate makes its nominations. The delegation representing the College of Letters, Arts and Social Sciences on Faculty Senate nominates six faculty members who should be representative of the breadth of the disciplines within the college. The delegation representing the College of Agricultural & Life Sciences on Faculty Senate nominates four faculty members from the college—two each from (a) faculty with greater than 50% teaching and research appointments and (b) faculty with greater than 50% University of Idaho Extension appointments. The delegations from each of the other colleges and the Faculty-at-Large each nominate two faculty members from their constituencies. b. Membership of the committee, including carryover members, consists of the provost (chair), three representatives from the College of Letters, Arts and Social Sciences, two representatives from the College of Agricultural & Life Sciences, one representative from each of the other colleges, the vice president for research, the dean of the college of graduate studies, and the vice provost for academic affairs. The provost, the vice president for research, the dean of the college of graduate studies, and the vice provost for academic affairs shall be ex-officio members without vote. Applications of faculty members being considered for promotion from the University Library, Law Library, Counseling and Testing Center, and the University of Idaho Extension will be represented by the University Promotions Committee’s representative whose own position most closely matches that of the applicant. The names of the members of the University Promotions Committee will be made public as soon as the committee’s recommendations have been forwarded. The chair will conduct voting on candidates by closed ballots. [rev. 7-97, 1-10, ed. and ren. 1-08, ed. 7-09]

H-3. A presumption in favor of promotion shall exist for each candidate who comes to the University Promotions Committee with a favorable recommendation from all of the committees that have considered the matter at the unit and college level, from the unit chair and dean directly involved, and from a majority of the faculty members who submitted a recommendation pursuant to section E-2.d. above. Upon showing that the lower level recommendations were made without due regard for the university criteria for the rank sought pursuant to section 1565, Faculty Ranks and Responsibilities, the presumption shall be overcome, and in such case the University Promotions Committee shall state in writing the reasons for the decision. [ed. 7-98, ren. 1-08, rev. 1-10]

I. APPEAL. If the President’s decision is against promotion, the faculty member has the right of appeal. [See 3840.]

J. ANNUAL TIMETABLE FOR PROMOTION CONSIDERATIONS. The process of promotion considerations is carried out annually. The unit level evaluation for promotion begins summer/early fall and shall follow the timetable provided by the provost and published on the provost’s website. [ed. 7-99, rev. 1-10]
## POLICY COVER SHEET

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

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**Chapter & Title:**  
FSH 3570 – Professional Portfolio

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

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

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<td>Telephone &amp; Email:</td>
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<tr>
<td>Policy Sponsor:</td>
<td>Paul McDaniel Faculty Affairs Chair 12/9/13 <a href="mailto:paulm@uidaho.edu">paulm@uidaho.edu</a></td>
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<td>Yes  No</td>
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**I. Policy/Procedure Statement:** Briefly explain the purpose/reason of proposed addition, revision, and/or deletion to the Faculty/Staff Handbook or the Administrative Procedures Manual.

1. Address the need for review by tenure-track faculty of course material taught by non tenure-track voting faculty.
2. Make it clear that external reviews are not required of all faculty e.g. instructors/clinical/lecturers with faculty status)

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

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

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

If not a minor amendment forward to: _______FAC 3/10/14 approved_______
PROFESSIONAL PORTFOLIO

PREAMBLE: This section was introduced to the Handbook July 1998 as section B of 1565. For better ease of access it was made its own section in January 2008. In January 2010 this section was revised to reflect changes in the faculty position description and evaluation forms that simplified the forms while better integrating faculty interdisciplinary activities into the evaluation process and a new section C was added. More information may be obtained from the Provost’s Office (208-885-6448)). [rev. 1-10]

CONTENTS:

A. Introduction
B. Professional Portfolio for Third-Year Review, Tenure, and/or Promotion
C. Academic Unit Context Statement

A. INTRODUCTION. Evidence of effective teaching, scholarship and creative activities, outreach and extension, and organizational leadership (FSH 1565 C) is to be provided in a professional portfolio submitted by the faculty member for the third year review (FSH 3520 G-43) and when under consideration for tenure and promotion. The professional portfolio should be designed to complement the faculty member’s current curriculum vitae and position descriptions. For evaluative purposes, faculty members may also submit a portfolio on an annual basis. The professional portfolio should address all aspects of the faculty member’s responsibilities as defined in their position description (FSH 3050). The preparation of a portfolio encourages one’s growth and development in all relevant areas. Through the collection and organization of a variety of materials in combination with self-reflection, one gains an overview of one’s responsibilities as a member of the academic community. An individual faculty member understands best what he or she does and the portfolio explains the nature of the faculty member’s activities so that others will understand them fully for purposes of assessment. The format and method of presentation of the professional portfolio is a matter of faculty choice. [ren. 7-00, ed. 1-08, rev. 1-10]

B. PROFESSIONAL PORTFOLIO FOR THIRD-YEAR REVIEW, TENURE, AND/OR PROMOTION. Diversity rather than uniformity is encouraged since the portfolio serves to reflect the academic discipline and position description of each faculty member - the context within which each faculty member does his/her job. Following are the minimum requirements for the contents of a professional portfolio. The faculty member may provide additional material that offers further insight into his/her responsibilities and accomplishments. (The portfolio that is forwarded for tenure and/or promotion is limited to twelve pages. At the candidate’s discretion, additional material may be prepared and made available to all who are evaluating his/her suitability for tenure and/or promotion. This additional material, if any, is available for review in the departmental office, but is not forwarded with the packet.) [ed. and ren. 7-00, ed. 1-08, rev. 1-10]

B-1. Personal Context Statement describing the faculty member’s scholarly responsibilities within his or her academic unit. The personal context statement is written by the faculty member (limited to two pages) and reviewed by the relevant unit/college/center administrators. The statement may include expectations placed on a faculty member by interdisciplinary programs or research centers, the requirements of joint appointments or other special circumstances. [rev. 1-10]

B-2. Personal Philosophy Statement regarding the faculty member’s professional activities relevant to his/her position description.
B-3. Evidence not included in the curriculum vitae (as appropriate to the position description) of the faculty member’s productivity, scholarly ability, and student success.

B-4. Evidence of professional growth in the faculty member’s areas of responsibility.

B-5. In the case of instructional or extension faculty, evidence of evaluation of course/extension material content by tenure track faculty.

C. ACADEMIC UNIT CONTEXT STATEMENT [add. 1-10]

C-1. An Academic Unit Context Statement is included in the package of materials sent to external peer reviewers, when applicable, (see FSH 3520 G-34 b and 3560 E-32 b). It is intended to inform reviewers about the academic environment at the University of Idaho so that reviewers may consider the similarities and differences between their own academic units and that of the candidate for tenure or promotion. The Academic Unit Context Statement shall be developed and approved by the faculty of the academic unit and reviewed regularly for accuracy. Each faculty member may clarify their unique responsibilities within their Personal Context Statement (see B-1 above).

C-2. The Academic Unit Context Statement is included with other materials used in the review process at levels beyond the unit, but is distinct from the Personal Context Statement described in B above.

C-3. The Academic Unit Context Statement describes relevant features of the university, college and academic unit. The context statement should cover the following areas:

a. The usual allocation of effort as described in the position descriptions of faculty in the academic unit.

b. A description of the annual review process and annual performance criteria.

c. Unit/College criteria for promotion and tenure.

d. Resources available to support scholarly activity such as travel, teaching assistants, etc.

e. Other information deemed useful to those outside the academic unit.
POLICY COVER SHEET
(See Faculty Staff Handbook 1460 for instructions at UI policy website:
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Chapter & Title: FSH 1520 – University Constitution

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Originator(s): (Please see FSH 1460 C) 

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Policy Sponsor: (If different than originator.) 

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Reviewed by General Counsel  _X__ Yes ___No  Name & Date: _Nelson 4/15/14___

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

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

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

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

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

If not a minor amendment forward to: _____________________

Track # _______________
Date Rec.: _____________

Register: ______________

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

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

FSH
Appr. ____________
FC ____________
GFM ____________
Pres./Prov. ____________
[Office Use Only]
ARTICLE IV--RESPONSIBILITIES OF THE UNIVERSITY

FACULTY. Faculty are entitled to speak or write freely without institutional discipline or restraint on matters pertaining to faculty governance and university programs and policies. Subject to the authority of the president and the general supervision and ultimate authority of the regents, the university faculty accepts its responsibilities for the immediate government of the university, including, but not restricted to:

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

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

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

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

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

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

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

**Section 8. Governance of Colleges and Subdivisions.** The university faculty promulgates general standards to guarantee the right of faculty members to participate in the meetings of the appropriate constituent faculties and in the governance of their colleges, schools, intracollege divisions, departments, and other units of the university. [See 1540 A.][ed. 7-06, 7-09]

**Section 9. Faculty Welfare.** The university faculty recommends general policies and procedures concerning the welfare of faculty members, including, but not limited to, appointment, reappointment, nonreappointment, academic freedom, tenure, working conditions, promotions, salaries, leaves, fringe benefits, periodic evaluations, performance reviews, reassignment, layoff, and dismissal or termination.

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

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

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

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

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

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**Originator(s):**

Faculty Affairs, Paul McDaniel  March 10, 2014  
Name Date

**Policy Sponsor: (If different than originator.)**

Faculty Senate  
Name Date

**Reviewed by General Counsel**

X Yes _ No  Name & Date:  Kent Nelson 4/15/14

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

   Proposed language explicitly includes faculty governance under academic freedom.

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

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

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

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**Policy Coordinator**  
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GFM ____________  
Pres./Prov. ____________  
[Office Use Only]

**APM**  
F&A Appr.: ____________  
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ACADEMIC FREEDOM, RIGHTS AND RESPONSIBILITY

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

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

B. RESEARCH AND TEACHING RIGHTS AND RESPONSIBILITIES.

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

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

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

B-34. Responsibilities.

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

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

c. Faculty members must refrain from using institutional resources for the furtherance of their interests or activities which are not a part of their assigned responsibilities to the institution.
POLICY COVER SHEET

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

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

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

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<th>Originator(s):</th>
<th>Daniel Trauvetter</th>
<th>April 21, 2014</th>
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<td>2014</td>
<td>Name</td>
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| Reviewed by General Counsel | ___Yes ___No | Name & Date: __________________ |
Note: It is the intention of the University of Idaho that effective August 24, 2015, all University of Idaho properties will prohibit the use of cigarettes, e-cigarettes, cigars, snuff, snus, water pipes, pipes, hookahs, chew, and any other tobacco product.

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

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

A-1. Regulatory Requirements. Idaho Code, Title 39, Chapter 55 and Idaho Administrative Code, IDAPA 16.02.23 prohibit smoking in any publicly-owned building or educational facility. [rev. 12-09]

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

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

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

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

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

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

E. Information. For additional information regarding smoking policy, please contact the Environmental Health and Safety Office at (208) 885-6524. [rev. 12-09]
POLICY COVER SHEET
(See Faculty Staff Handbook 1460 for instructions at UI policy website: www.webs.uidaho.edu/uipolicy)

Chapter & Title: 1640.86 Teacher Education Coordinating Committee

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

Originator(s): Corinne Mantle-Bromley 3/27/14
(Please see FSH 1460 C)

Policy Sponsor: Committee on Committees, Marty Ytreberg Chair

Reviewed by General Counsel __Yes ___No Name & Date: __________ n/a

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

To clarify and update the function of TECC and revise the structure to better align with current needs/accreditation standards.

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

III. Related Policies/Procedures: Describe other policies or procedures existing that are related or similar to this proposed change. None.

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

If not a minor amendment forward to:

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

FSH Appr. __________
FS __FS-14-024__
GFM __n/a__
Pres./Prov. __n/a__
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TEACHER EDUCATION COORDINATING COMMITTEE

A. FUNCTION. [See also 4300. ] [ed. 7-06]

A-1. To conduct a continuing review of teacher-education policies and to promote quality teacher preparation.

A-2. To act on and submit to the respective college committees proposed changes in teacher education certifications and endorsements, majors and minors.

A-3. To provide updates on state and national issues pertaining to the preparation of educators. To function as a standing committee of the university faculty and as a subcommittee of the University Curriculum Committee.

A-4. TECC will meet in September, January and March, prior to UCC deadlines, in order to facilitate curriculum changes. Meeting dates/times will be posted annually by the first week of September.

B. STRUCTURE AND MEMBERSHIP. Faculty members are nominated by the College of Education from each of the following groups: two-four from programs within the Department of Curriculum and Instruction, including representation from the elementary program, the secondary program, the career and technical education program and the special education program; one from the Department of Movement Science physical education teacher education program; Division of Adult, Career, and Technology Education, and one from the Department of Health, Physical Education, Recreation, and Dance; and one from the Department of Counseling and School Psychology, Special Education, and Education Leadership; Education Certification Officer ex officio; one faculty member (in consultation with other colleges) from each of the following groups: early childhood, agricultural education, music education, English education, mathematics education, social sciences, natural sciences and business; communication, humanities, social sciences, mathematics, and natural sciences; three-four students; two graduate level students in education and two junior or senior level students in education (one from the College of Education and the second annually rotating between early childhood education, agricultural education and music education); three P-12 school personnel, including a superintendent, a principal and a teacher, representing both elementary and secondary education as well as multiple districts; and the Director of Assessment (w/o vote) and the Dean of the College of Education or designee (w/o vote), who serves as chair. [rev. 7-08, 7-10]
POLICY COVER SHEET

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

Facility/Staff Handbook [FSH] ☐ Addition ☐ Revision* ☐ Deletion* ☐ Emergency
Minor Amendment ☑ Chapter & Title: Committee Directory – Honors Program Committee, FSH 1640.53

All policies must be reviewed, approved and returned by a policy sponsor, with a cover sheet attached to apm@uidaho.edu or fsh@uidaho.edu respectively.
*Note: If revision/deletion request original document from apm@uidaho.edu or fsh@uidaho.edu, all changes must be made using “track changes.”

Originator(s): Committee on Committees Feb. 7, 2014

Telephone & Email: Gail Z. Eckwright, Faculty Secretary Feb. 27, 2014
gze@uidaho.edu

Reviewed by General Counsel Yes No Name & Date: ______________

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

This is a minor change to the structure of the Honors Program Committee to reflect a change in the Honors Program administrative structure. The Honors Program now has a full-time director and no longer has an associate director.

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

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

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

If not a minor amendment forward to:

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

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1640.53  
HONORS PROGRAM COMMITTEE

A. FUNCTION.

A-1. To recommend policies for the University Honors Program, including admission requirements.

A-2. To act on changes in the program.

A-3. To act on petitions for exceptions to the requirements of the program. (The committee’s actions on petitions may be appealed as stated in 2500.)

B. STRUCTURE. Six faculty members to represent a broad spectrum of the UI community, an academic dean from one of the six colleges representing the honors curriculum (college representation to rotate on an annual basis), President of the Honors Student Advisory Board or designee, and (w/o vote) director of the University Honors Program (UHP), associate director of the UHP, program advisor of the UHP (staff). The latter serves as secretary. One of the six appointed faculty members serves as chair. [rev. 7-97, 7-03, 7-05, 7-06 ed. 7-98, 7-10]
POLICY COVER SHEET
(See Faculty Staff Handbook 1460 for instructions at UI policy website:
www.webs.uidaho.edu/uipolicy)

[3/09]

Faculty/Staff Handbook [FSH] □ Addition □x Revision* □ Deletion* □
Emergency Minor Amendment □
Chapter & Title: FSH 3840 – E-3

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

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

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

Reviewed by General Counsel  ____Yes ____No  Name & Date: ________________

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

FSH 3840 (Faulty Grievances) has an out dated section that indicates a faculty has the right to appeal to the Regents as part of the University’s grievance process; citing to RGPIIM2. However, in 2011, the Regents/SBOE passed a revision to this policy clearly stating that the decision of the University chief executive officer is the final decision on all human resource matters and there is no appeal to the board.

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

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

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

If not a minor amendment forward to: ______________________
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Policy Coordinator
Appr. & Date: ____________

APM
F&A Appr.: ____________

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GFM ____________
Pres./Prov. ____________

[Office Use Only] [Office Use Only] [Office Use Only] [Office Use Only]
PROCEDURES FOR FACULTY APPEALS

PREAMBLE: This section deals with the procedures for faculty appeals. It formed a part of the 1979 Handbook and was revised in July of 1994 to add harassment on the basis of race, color, religion, gender, national origin, age or disability to the "areas of concern" and in January of 1996 so as to remove the Faculty Affairs Committee from those bodies through which an appeal had to travel before being heard. The section was substantially revised in July 1999 and again in July 2002 to clarify the committee's scope and its procedures, and A was revised in 2007 to add a process for addressing retaliation complaints. In 2008 the committee composition previously in C and D was moved into FSH 1640 Committee Directory. Further information is available from the Provost's Office (208-885-6448) or the Office of the Faculty Secretary (208-885-6151). [rev. 7-99, 7-02, 7-07, 7-08, ed. 7-00, 7-05]

CONTENTS:
A. Areas of Concern
B. Procedures for Initiating an Appeal
C. Faculty Appeals Hearing Board
D. Hearing Procedures
E. Procedures Following the Hearing

A. AREAS OF CONCERN. The procedures provided in this policy are to be used by faculty members to appeal administrative decisions, including without limitation decisions in such matters as denial of tenure, denial of promotion, position description, performance evaluation, salary determination, and to challenge the contents of personnel files. Applicability of these procedures to some matters is subject to certain limitations and exclusions - nonrenewal of fixed-term appointments [see 3900 E and F], dismissal for cause [see 3910, in particular, 3910 D-5-c], and layoff resulting from a declaration of financial exigency [see 3970]. Allegations of sexual harassment or discrimination based on race, color, sex, national origin, religion, age, sexual orientation, or disability are not subject to this policy, but should be brought to the Director of Human Rights, Access and Inclusion. Decisions of the president concerning administrative assignments are not appealable under this policy. A faculty member alleging retaliation is required to follow the process set forth in FSH 3810 before proceeding under this policy. The time period for appeal will begin to run upon completion of the process set forth in 3810. [rev. 7-99, 7-02, 7-07, 7-08, ed. 7-00, 7-05]

B. PROCEDURES FOR INITIATING AN APPEAL.

B-1. Before, or in addition to, filing an appeal, the faculty member should seek satisfaction informally by discussing his or her complaint with the administrator who made the decision. If the issue is not resolved by this means, the faculty member should then go to the next administrative level for redress. Reference to these discussions should be included in the request for a hearing.

B-2. A faculty member who wishes to appeal an institutional decision may do so by submitting a written request for a formal hearing. Such a request must be made within 30 calendar days after he or she receives written notice of the institutional decision, except that a 20-day period is allowed in cases of nonrenewal of fixed-term appointments [see 3900 F], a 14-day period is allowed in cases of denial of tenure or promotion, and a 15-day period is allowed in cases of dismissal for cause [see 3910 D-5-a]. If the appeal concerns salary determination, the 30-day period allowed for filing begins with receipt of notice of the dollar amount of salary assigned [see 3420 CB-3, CB-6]; the earlier assignment to a salary-increment category [see 3420 CB-3] may be appealed by the informal means described in B-1 or may be included in the appeal after the salary amount has been fixed. In the request, the faculty member must state clearly what decision is being appealed and, briefly, the grounds on which the appeal is based. If the time deadlines contained in this provision or in any rules or
procedures adopted by the Faculty Appeals Hearing Board are not complied with the appeal shall be dismissed unless the Faculty Appeals Hearing Board determines that an attempt at informal resolution through the Ombuds Office or extraordinary circumstances justified the delay. [rev. 7-99, 2-07, ed. 7-01, 7-02, ed. 3-142]

B-3. The request for a hearing is addressed to the chair of the Faculty Appeals Hearing Board (FAHB) (see FSH 1640.43). The FAHB chair will forward copies of the request to the provost, and other administrators concerned. The provost, or another administrator designated by the provost, will furnish the FAHB chair and the faculty member a written statement of the reasons for the administrative decision. [rev. and ren. 7-99, ed. 7-02]

B-4. A request for a hearing does not affect the effective date of the decision being appealed. [add. 7-02]

C. FACULTY APPEALS HEARING BOARD. (see FSH 1640.43)

D. HEARING PROCEDURES. [ren. 7-08]

D-1. The hearing board may adopt rules of procedure from time to time. In a particular case these rules may be altered by the Board in the interest of fairness. These rules are available on request from the chair of the board and the faculty secretary. [add. 7-99, ren. 7-08]

D-2. The board will meet before the hearing to consider the nature of the parties’ expected presentations, to make decisions about the procedure that will be followed in the hearing, and to set mutually acceptable dates for the hearing, including the time and duration of the presentations. The board communicates these decisions in writing to the parties and allows each of them five working days in which to respond. The chair of the board negotiates any disputed matters. [ed. and ren. 7-99, ren. 7-08]

D-3. The chair of the board summons the faculty member and the officer (or a representative of the body) whose decision is under appeal. The chair also summons other UI employees or students to appear on the request of either party or of the board itself; the summons must set a reasonable time and place to appear and must give due notice. Persons summoned have the obligation to respond as though summoned by the president. Either party may be assisted by counsel of its choice in an advisory capacity only. Both parties are entitled to be present during the entire hearing. [rev. and ren. 7-99, ed. 7-02, ren. 7-08]

D-4. During the hearing, the faculty member’s case will be presented first, in whatever manner he or she desires: e.g., through the testimony of witnesses, submission of documents, or oral statements. The board may then question the faculty member. The administration then presents its case, followed by questions from the board. The faculty member is given an opportunity to respond and to summarize his or her case. [ed. 7-97; ren. 7-99, ed. 7-02]

D-5. As a general rule, the board admits, rather than excludes, presentations that either party desires to make. The chair may rule against presentations that are clearly repetitive or irrelevant. [ren. 7-99]

D-6. The faculty member and the board should know of the existence and substance of all materials on which the administration has relied in making the decision being appealed [see 3040]; there should be no means by which the substance of any charge, or other adverse information or allegation, can be kept secret from the faculty member. [ren. 7-99, ed. 7-02]

E. PROCEDURES FOLLOWING THE HEARING. [ren. 7-08]

E-1. The findings and recommendations of the hearing board are reported promptly in writing to the faculty member, his or her departmental administrator and dean, the provost, and the president. [rev. 7-99, ed. 7-02, ren. 7-08]
E-2. The president, following receipt of the report of the hearing board, has the responsibility of promptly responding in writing—and in any case within 45 days—to the faculty member, and the hearing board, and of providing a statement of the rationale for his or her decision. [rev. 7-99, ed. 7-02, ren. 7-08]

E-3. No Appeal to the Regents. The Regents have delegated authority for personnel matters to the president (RGPIIB2b), specifically stating that employee grievances are not appealable to the Board. (RGPIIM2) RGPIIM2.b. A nonclassified employee may elect to petition the Board to review any final personnel related decision of the chief executive officer. Any written petition must be filed in the Office of the State Board of Education within fifteen (15) calendar days after the employee receives written notice of final action under the internal procedures of the institution, agency, school, or office. The Board may agree to review the final action, setting out whatever procedure and conditions for review it deems appropriate, or it may choose not to review the final action. The fact that a written petition has been filed does not stay the effectiveness of the final decision nor does it grant a petition for review unless specifically provided by the Board. Board review is not a matter of right. An employee need not petition the Board for review in order to have exhausted administrative remedies for the purposes of judicial review. [add. 7-02, ren. 7-08, rev. 4-14]

E-4. The chair of the board shall report annually to the Faculty Senate regarding the nature of the matters considered by the board during the preceding year. [add. 7-99, ren. 7-02, 7-08, 6-09]
1. Nothing herein may be construed to be in limitation of the powers of the Board as defined by Sections 33-3006, 33-3104, 33-2806, and 33-4005, Idaho Code, or as otherwise defined in the Idaho Constitution or Code.

2. Delegation of Authority

   a. The Board delegates all authority for personnel management not specifically retained to the executive director and the chief executive officers consistent with the personnel policies and procedures adopted by the Board. In fulfilling this responsibility, the executive director and chief executive officers, or their designees, may exercise their authority consistent with these policies and procedures. Provided, however, that the Board retains the authority for taking final action on any matter so identified anywhere in these policies and procedures.

   b. Within the general delegation of authority in the preceding paragraph a. above, the chief executive officers shall have the authority to manage, supervise and control the personnel and human resources of the institutions and agencies. Organizational structure, duty assignments, place of work, shift placement, salaries, work hour adjustments, benefit determinations, reductions in force and all similar and related work place decisions are the prerogative of the chief executive officers except or unless as limited by other applicable provisions of Board or institutional policy.

   c. Without limiting the general description of b. above, the authority delegated to each chief executive officer includes the authority, in the chief executive officer's discretion, to reduce expenditures to respond to financial challenges (without a financial exigency declaration by the Board) and to maintain sound fiscal management. In such cases, the chief executive officer may take employment actions which are uniform across the entire institution, or uniform across institution budgetary units, but may not include actions requiring a financial exigency declaration by the Board. Such actions may include work hour adjustments such as furloughs or other unpaid leave as long as such are uniform across budgetary units or uniformly tiered as applied to certain salary levels or classifications. Work hour adjustments may be pro-rated based on annual salary levels to equitably reduce the financial hardship of the adjustments on lower level employees. Institutions shall adopt internal policies for implementing the employment actions in a manner consistent with the Board’s policies and procedures, and furnish these policies to the Board.

   d. In implementing any such actions described in the preceding paragraph c. above, the institution shall seek the input from the faculty, non-classified staff and classified staff employee groups. Such groups will be given at least twenty-one (21) calendar days to provide their input on the proposed actions as provided for
in the policies of the institution. The institution shall, once such input is taken and considered by the chief executive officer, establish procedures that provide for at least thirty (30) days written notice prior to the effective date of the action and an opportunity for an affected employee to be heard. The notice must include the effective date of the employment action, a statement of the basis for the employment action, and a description of the process to be heard. Such process shall be comparable to the process for review described in Board Policy II.N.7.a. The employee may contest the action only based on whether the action, with respect to that employee, violates the procedural requirements of this policy, applicable institutional policy or constitutional or statutory protections for that employee. The employee may not challenge the chief executive officer’s determination that a reduction in budgetary expenditures is necessary, nor contest the chief executive officer’s chosen means of addressing the reduction need, unless such means violate constitutional or statutory protections for the employee.

3. Specifically Reserved Board Authority

(Note: This is not an exclusive or exhaustive list and other reservations of Board authority may be found in other areas of these policies and procedures.) Board approval is required for the following:

a. Position Authorizations

Any position at a level of vice-president (or equivalent) and above, regardless of funding source, requires Board approval.

Agenda Item Format: Requests for new position authorizations must include the following information:

i. position title;
ii. type of position;
iii. FTE;
iv. Term of appointment;
v. Effective date;
vi. approximate salary range;
vii. funding source; and
viii. a description of the duties and responsibilities of the position.

b. The initial appointment of an employee to any type of position at a salary that is equal to or higher than 75% of the chief executive officer’s annual salary.

c. The employment agreement of any head coach or athletic director (at the institutions only) longer than one year, and all amendments thereto.
d. The criteria established by the institutions for initial appointment to faculty rank and for promotion in rank, as well as any additional faculty ranks and criteria as may be established by an institution other than those provided for in these policies (see subsection II. G.) Any exceptions to the approved criteria also require Board approval.

For the procedures established for periodic performance reviews of tenured faculty members see subsection II. G.
1. Classified Employees

Provisions for grievance and appeals procedures for classified employees are provided for in Chapter 53, Title 67 Idaho Code and the rules of the State Division of Human Resources. The University of Idaho shall, to the extent practical, provide for similar grievance and appeals procedures for its classified employees.

2. Non classified Employees (including Faculty Employees)

Each institution and agency must establish internal policies and procedures to provide for grievances and appeals for human resource matters. Such policies and procedures shall be forwarded to the Executive Director for review and maintenance on file in the Office of the State Board of Education. Internal procedures must include the following elements:

a. provision for informal resolution;
b. procedures for filing a formal, written complaint;
c. reasonable time requirements;
d. a description of the hearing body; and
e. requirements for retention of records.

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

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

Faculty/Staff Handbook [FSH] □ Addition □x Revision* □ Deletion* □
Emergency
Minor Amendment □X
Chapter & Title: FSH 3890 – Grievance for Exempt

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

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

Originator(s): Kent Nelson  April 8, 2014
(See FSH 1460 C)
Telephone & Email: kentnelson@uidaho.edu  885-6125

Policy Sponsor: Greg Walters
(If different than originator.)
Telephone & Email: gregwalters@uidaho.edu

Reviewed by General Counsel ___Yes ____No  Name & Date: _______________

Policy/Procedure Statement: Briefly explain the purpose/reason of proposed addition, revision, and/or deletion to the Faculty/Staff Handbook or the Administrative Procedures Manual.
FSH 3890 (Exempt Grievances) has an outdated section that indicates a faculty has the right to appeal to the Regents as part of the University’s grievance process; citing to RGPIIM2. However, in 2011, the Regents/SBOE passed a revision to this policy clearly stating that the decision of the University chief executive officer is the final decision on all human resource matters and there is no appeal to the board.

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

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

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

If not a minor amendment forward to: ______________________

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

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

APM
F&A Appr.: __________________
[Office Use Only]
GRIEVANCE PROCEDURES FOR EXEMPT EMPLOYEES

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

CONTENTS:
A. Policy.
B. Informal Resolution Process.
C. Written Complaint Process.
D. Appeals.

A. POLICY.

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

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

IIM2. Nonclassified Employees (including Faculty Employees)

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

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

b. Appeal to the Board. Pursuant to Board Policy II.B.2.b., the Board delegates authority for personnel management to the chief executive officers. Accordingly, human resource matters are not appealable to the Board. A nonclassified employee may elect to petition the Board to review any final personnel related decision of the chief executive officer. Any written petition must be filed in the Office of the State Board of Education within fifteen (15) calendar days after the employee receives written notice of final action under the internal procedures of the institution, agency, school, or office. The Board may agree to review the final action, setting out whatever procedure and conditions for review it deems appropriate, or it may choose not to review the final action. The fact that a written petition has been filed does not stay the effectiveness of the final decision nor does it grant a petition for review unless specifically provided by the Board.
Board review is not a matter of right. An employee need not petition the Board for review in order to have exhausted administrative remedies for the purposes of judicial review.

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

a. Financial Exigency. This policy does not apply under the circumstances described in FSH 3970, except as set forth therein.

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

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

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

B. INFORMAL RESOLUTION PROCESS.

B-1. Employees, supervisors, upper-level managers and administrators are encouraged to resolve job-related disputes informally at the lowest management level possible within UI. Before using the written complaint process, an employee should make a reasonable attempt to meet with and resolve the matter(s) with his or her immediate supervisor. Advisors, except attorneys, are permitted at informal meetings with immediate supervisors. Employees and supervisors are strongly encouraged to use informal meetings in order to identify the precise matter(s) at issue, discuss ways to resolve them, and to resolve matters at the lowest level possible.
B-2. If an employee believes that meeting with his or her immediate supervisor would be futile, the employee is encouraged to contact Human Resources (HR) or the next higher administrator for assistance. [ed. 9-06]

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

C. WRITTEN COMPLAINT PROCESS

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

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

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

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

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

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

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

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

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

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

e. Setting of Hearing. Within ten (10) working days after receiving the appeal from HR, the chair of the SAHB shall consult with the parties and thereafter shall set a mutually agreeable date for the hearing. The chair has discretion to change the date of the hearing. The SAHB shall also set the date by which UI’s response to the appeal shall be filed. [ed. 9-06]

f. Filing of Documents. Once an appeal is referred to the chair of the SAHB, all documents shall be filed directly with the chair of the SAHB during the pendency of the appeal. Copies of all documents submitted shall be provided to the staff member and the administrator who made the decision being appealed.

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

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

**D-2. Other Procedures.**

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

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

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

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

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

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

**g.** If the employee fails to appear at the hearing, the chair of the SAHB shall dismiss the employee’s appeal. Such dismissal may be rescinded only for good cause shown as determined by the chair of the SAHB.
h. The SAHB chair has responsibility for retrieving all documents used in
the hearing process from all members of the SAHB and the UI. The chair
shall deliver the documents used in and generated by the hearing process to
HR. HR shall maintain a complete set of these documents for seven (7)
years from the date of the decision of the President and thereafter shall
destroy them. [ed. 9-06]

D-3. This policy shall be liberally construed to secure just, speedy and
economical determination of all issues presented. The Idaho Rules of Civil
Procedure and the Idaho Rules of Evidence do not apply to these proceedings.
POLICY COVER SHEET
(See Faculty Staff Handbook 1460 for instructions at UI policy website: www.webs.uidaho.edu/uipolicy)

<table>
<thead>
<tr>
<th>Administrative Procedures Manual [APM]</th>
<th>Addition</th>
<th>Revision*</th>
<th>Deletion*</th>
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<tbody>
<tr>
<td>Chapter &amp; Title: 95.13 – Centrally Managed Surveillance Systems</td>
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</table>

All policies must be reviewed, approved and returned by a policy sponsor, with a cover sheet attached to apm@uidaho.edu or fsh@uidaho.edu respectively.
*Note: If revision/deletion request original document from apm@uidaho.edu or fsh@uidaho.edu, all changes must be made using “track changes.”

Originator(s): Matt Dorschel  3/5/2014

(See FSH 1460 C)

Telephone & Email: 885-7209
mddorschel@uidaho.edu

Policy Sponsor: (If different than originator.)

Telephone & Email: ________________

Reviewed by General Counsel  ___Yes  X No

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

This proposed policy regulates the use of surveillance cameras to protect the legal and privacy interests of the University of Idaho and the University community, and to provide a common/standardized set of processes for acquiring and maintaining those systems.

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

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

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

IV. Effective Date: This policy shall be effective on July 1, or January 1, whichever arrives first after final approval (see FSH 1460 D) unless otherwise specified in the policy.  July 1, 2014

If not a minor amendment forward to: ______________________________

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

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

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

APM
F&A Appr.: ________________
[Office Use Only]
Preamble: This policy was created to regulate surveillance cameras and protect the legal and privacy interests of the University of Idaho and its community.

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

A. Policy

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

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

B. Procedures

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

a. The use of dummy or placebo cameras is prohibited.
b. University Security will have access to all surveillance camera data.
c. When an incident is suspected to have occurred, only authorized personnel may review the images from surveillance camera data.
d. Only the Executive Director of Public Safety and Security or designee may authorize copies of surveillance images.
e. All requests to release surveillance records must be authorized by both the Office of General Counsel and the Executive Director of Public Safety and Security or designee.

f. The University will not permit either the installation or use of cameras as a tool to monitor routine performance or management issues involving University personnel or the use of personal “webcam” or similar technology for surveillance purposes. Departments or units seeking to install or use cameras for this purpose must obtain approval from both University Security and Human Resources. If approved, employees of any department with surveillance cameras for this purpose will be notified of such installation.

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

h. The recording of audio is prohibited.

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

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

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

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

B-2. Data and Access Log Storage:

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

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

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

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

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

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

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

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

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

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

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

FROM: Office of the Registrar

RE: 2014-2015 Final Exam Schedule and Regulation H

DATE: March 7, 2014

Fall Final Examination Schedule
December 15-19, 2014

Regular classrooms will be used for the exam unless the instructors make special arrangements through the Registrar’s Office. In order to avoid conflicts, rooms must be reserved in the Registrar’s Office for “common final” exams. Instructors will announce to their classes rooms to be used for all sectioned classes having common final exams. Instructors may deviate from the approved schedule only upon recommendation of the college dean and prior approval of the Provost.

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<tr>
<th>First Class Meeting Day of the Week</th>
<th>Class Start Time</th>
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- **Common final exam** periods are from 7:00 to 9:00 p.m. on Monday, Tuesday, Wednesday, and Thursday.
- Students with more than two three or more finals in one day are permitted, at their option, to may have the excess final(s) rescheduled to the conflict period. The **conflict exam** periods are from 35:00 to 57:00 p.m. on Wednesday and Thursday and Friday. A student must make arrangements with the department and the instructor of the course to move a schedule the final exam to in one of the conflict exam periods.
- Evening classes, those starting at 5:00 p.m. or later, will have the final examinations during the final exam week at the regular class time.
- Online classes, which have in person finals, will have the final examination the Saturday following the final examination week in the Fall semester. In the Spring semester these in person finals will be held on the Saturday prior to the final examination week.
- Non-Standard time patterns will use the final exam start time in the day/time pattern of the earlier hour. For example, a Tuesday section with an 8:30 a.m. start time would use the 8:00 a.m. final exam time for Tuesday.
- If a class meeting day and time is not found in the final examination schedule above, the instructor of the class is responsible for contacting the Office of the Registrar to identify the appropriate day and time for the final examination.

**Spring Final Examination Schedule**

**May 11-15, 2015**

Regular classrooms will be used for the exam unless the instructors make special arrangements through the Registrar’s Office. In order to avoid conflicts, rooms must be reserved in the Registrar’s Office for “common final” exams. Instructors will announce to their classes rooms to be used for all sectioned classes having common final exams. Instructors may deviate from the approved schedule only upon recommendation of the college dean and prior approval of the Provost.
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• **Common final exam** periods are from 7:00 to 9:00 p.m. on Monday, Tuesday, Wednesday, and Thursday.

• Students with more than two three or more finals in one day are permitted, at their option, to have the excess final(s) rescheduled to the conflict period. The conflict exam periods are from 3:30 to 5:00 p.m. on Thursday and Friday. A student must make arrangements with the department and the instructor of the course to move a schedule the final exam to in one of the conflict exam periods.

• Evening classes, those starting at 5:00 p.m. or later, will have the final examinations during the final exam week at the regular class time.

• Online classes, which have in person finals, will have the final examination the Saturday following the final examination week in the Fall semester. In the Spring semester these in person finals will be held on the Saturday prior to the final examination week.

• Non-Standard time patterns will use the final exam start time in the day/time pattern of the earlier hour. For example, a Tuesday section with an 8:30 a.m. start time would use the 8:00 a.m. final exam time for Tuesday.

• If a class meeting day and time is not found in the final examination schedule above, the instructor of the class is responsible for contacting the Office of the Registrar to identify the appropriate day and time for the final examination.

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**H - Final Examinations**

**H-1.** The last five days of each semester are scheduled as a final exam week (two-hour exams) in all divisions except the College of Law. The following provisions apply:

**H-1-a.** No quizzes or exams may be given in lecture-recitation periods during the week before finals week. Exams in lab periods and in physical education activity classes, final in-class essays in English composition classes, and final oral presentations in speech classes are permitted.

**H-1-b.** Final exams or final class sessions are to be held in accordance with the schedule approved by the Faculty Council. Instructors may deviate from the schedule only on the recommendation of the college dean and prior approval by the provost or provost's designee.

**H-1-c.** The final exam time will be scheduled based on the lecture portion of a course. The final exam time is based on the meeting schedule of the course section, as it exists in the class schedule for that semester. If a class meets Monday, Wednesday, and Friday, for example, the final exam time will be based on the time the class is scheduled to meet on these days. If the meeting day(s) and/or time of the lecture portion of a course change during the semester the final exam time will be scheduled based on the first meeting time.

**H-1-d.** Where exams common to more than one course or section are required, they must be scheduled through the Registrar's Office and are regularly held in the evening.

**H-1-e.** Students with more than two finals in one day are permitted, at their option, to have the excess final(s) rescheduled to the conflict period or at a time arranged with the instructor of the course. A student must make arrangements with
the department and the instructor of the course to schedule the final exam in one of
the conflict exam periods.

H-1-f. Athletic contests are not to be scheduled during finals week.

H-2. Students who miss final exams without valid reason receive Fs in the exams. Students who are unavoidably absent from final exams are required to present evidence in writing to the instructor to prove that the absence is/was unavoidable.

H-3. Instructors, with the concurrence of their departments, may excuse individual students from final exams when such students have a grade average in the course that will not be affected by the outcome of the final exam. In such instances, the grade earned before the final exam is to be assigned as the final grade.

H-4. Early final exams are permitted for students, on an individual basis, who clearly demonstrate in writing that the reasons for early final exams are compelling. Such requests require approval by the department and instructor of the course.
Memorandum

To: University Curriculum Committee

From: Jeanne Stevenson, Vice Provost for Academic Affairs

Re: Request to Identify Online Programs in the *Catalog*

Date: April 9, 2014

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**Background**

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

**Request**

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

**Art**
- MAT in Art

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

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

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

Science
- MAT Mathematics
- MS Statistical Science

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

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

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

Thank you for your consideration of this request.